

Environment and Sustainability Committee

Meeting Venue:

Committee Room 3 – Senedd

Meeting date:

Thursday, 23 October 2014

Meeting time:

09.00

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Agenda

Informal pre-meeting (09:00 – 09:30)

Public session

- 1 Motion under Standing Order 17.22 to elect temporary Chair (09:30)**
- 2 Introductions, apologies and substitutions**
- 3 The Well-being of Future Generations (Wales) Bill – Stage 1: Evidence Session 14 (09:30 – 11:30) (Pages 1 – 41)**

Carl Sargeant AM, Minister for Natural Resources

Amelia John Deputy Director, Fairer Futures Division

Andrew Charles, Head of Sustainable Development

Sioned Rees Deputy Director, Local Government Partnerships

Louise Gibson, Lawyer

Amina Rix, Lawyer

Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business: items 4, 5 and 8

Private session

4 The Well-being of Future Generations (Wales) Bill: Discussion of evidence (11:30 – 12:00)

5 Inquiry into the public forestry estate in Wales: Consideration of draft letter to Welsh Government (Pages 42 – 49)

Break (12:00 – 12:45)

6 Welsh Government draft budget 2015–2016: Scrutiny of the Minister for Natural Resources and the Deputy Minister for Farming and Food (12:45 – 14:45) (Pages 50 – 96)

E&S(4)–25–14 paper 1

Carl Sargeant AM, Minister for Natural Resources

Rebecca Evans AM, Deputy Minister for Farming and Food

Andrew Slade, Director, Agriculture, Food and Marine

Dr Christianne Glossop, Director, Office of the Chief Veterinary Officer

Matthew Quinn, Director, Environment and Sustainable Development

Rosemary Thomas, Chief Planner, Deputy Director

7 Papers to note

The Well-being of Future Generations (Wales) Bill: Further Information from Natural Resources Wales (Pages 97 – 100)

E&S(4)–25–14 paper 2

The Well-being of Future Generations (Wales) Bill: Further information from Wales Carers Alliance (Pages 101 – 103)

E&S(4)-25-14 paper 3

The Well-being of Future Generations (Wales) Bill: Further information from the Auditor General for Wales (Pages 104 – 112)

E&S(4)-25-14 paper 4

The Well-being of Future Generations (Wales) Bill: Response from the Minister for Natural Resources to the letter from the Chair (Pages 113 – 130)

E&S(4)-25-14 paper 5

Scrutiny of the Minister for Natural Resources: Further information from the Minister for Natural Resources following the meeting on 17 September (Pages 131 – 142)

E&S(4)-25-14 paper 6

Scrutiny of the Deputy Minister for Farming and Food: Further information from the Deputy Minister for Farming and Food following the meeting on 17 September (Pages 143 – 183)

E&S(4)-25-14 paper 7

Private session

8 Scrutiny of Welsh Government draft budget 2015–2016: Discussion of evidence (14:45 – 15:00)

Agenda Item 3

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Agenda Item 5

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Agenda Item 6

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Environment and Sustainability Committee

Date: 23 October

Time: 12:45 – 14:45

Title: Evidence paper – Draft Budget 2015-16
Minister for Natural Resources;
Deputy Minister for Farming and Food

Introduction

1. This paper provides background financial information to the Committee as the Minister of Natural Resources and Deputy Minister for Farming and Food, regarding spending plans in respect of the budgets within my portfolio as outlined within the draft budget, published on 30 September 2014.
2. Annex A gives a breakdown of the Draft Budget, by Action, and by BEL.
3. In developing our budget proposals for the Natural Resources MEG, we have ensured that our budgets are aligned to support delivery of the priorities as set out in the Programme for Government. In setting this Draft Budget, our key priority has been on protecting our investments to combat poverty through support for growth and jobs as well as ensuring our budgets are affordable, reflects our priorities and offer value for money within the context of reducing revenue budgets. That is why we have protected our flood and coastal management budgets and largely protected funding for our energy efficiency programmes.
4. The investments we are making to support our natural resources now and in the longer term are key in terms of preventative spend. This is particularly true in terms of flood prevention, where investment to reduce risk is necessary to protect any further investment in Welsh housing. Additionally, investing in flood defences makes an area more attractive to investors through the reduction of environmental risk.
5. Following the revenue baseline reductions, detailed reviews were conducted across the portfolio to deliver savings whilst minimising the impact on services and programme delivery. In addition, the recent machinery of Government changes has increased the Natural Resources Portfolio by £16.408m with the addition of the “Planning” and the “Landscape and Outdoor Recreation” Actions.

Background and Summary

6. The draft budget figures may be summarised as follows:

Spending Programme Area	Supp. Budget 2014-15 £m	Indicative Plans 2015-16 £m	Changes 2015-16 £m	Draft Budget 2015-16 £m
Revenue:				
Climate Change & Sustainability	118.795	117.795	-4.628	113.167
Environment	82.501	80.000	-4.519	75.481
Evidence Base	1.136	1.136	-0.200	0.936
Landscape & Outdoor Recreation	11.057	10.607	-620	9.987
Planning	6.806	6.806	-0.385	6.421
Protecting & Improving Animal Health and Welfare	38.041	38.041	-7.385	30.656
Agriculture, Food & Marine	62.373	55.915	-3.838	52.077
TOTAL REVENUE	320.709	310.300	-21.575	288.725
Revenue % reduction		3.24		9.97
Capital:				
Climate Change & Sustainability	101.084	95.084	5.000	100.084
Environment	0.795	0.795		0.795
Evidence Base	0.038	0.038		0.038
Landscape & Outdoor Recreation	2.850	2.850	0.190	3.040
Agriculture, Food & Marine	11.723	11,723		11.723
TOTAL CAPITAL	116.490	110.490	5.190	115.680
TOTAL DEL BUDGET	437.199	420.790	-16.385	404.405
Annually Managed Expenditure (Pension provisions)	2.900	2.900	0	2.900
TOTAL BUDGET	440.099	423.690	-16.385	407.305

Revenue Allocations

7. In the Draft Budget 2015-16, the Natural Resources DEL reduces by £21.575m compared to the previous indicative 2015/16 allocations and by £31.984m compared to 2014-15. Of this £21.095m is in respect of revenue reductions being returned to reserves. The changes to the budget are detailed below::

- Develop & implement climate change, emission prevention and fuel poverty policy, communications, legislation & regulation: Decreased by £0.386m in respect of agreed budget reductions;

- Develop & implement flood and coastal risk, water & sewage policy and legislation: Decreased by £2m in exchange for £2m capital from Waste;
- Facilitate clean and secure energy and industry investment: Decreased by £0.2m in respect of agreed budget reductions;
- Manage & implement the Waste Strategy & waste procurement: decreased by £1m as part of a planned budget reduction to the Sustainable Waste management grant plus a further £2.042m in respect of agreed budget reductions;
- Deliver nature conservation and forestry policies: Increased by £0.513m relates to a budget realignment of £0.894m and a £0.381m agreed budget reduction;
- Manage & implement environmental improvement: decreased by £0.5m in respect of agreed budget reductions;
- Sponsor & manage delivery bodies: decreased by £2.501m in relation to the repayment of Invest to Save funding; £1.344m budget realignment plus £3.188m agreed budget reductions;
- Develop an appropriate evidence base to support the work of the Department: Decreased by £0.2m in respect of agreed budget reductions;
- Promote & support protected landscapes, wider access to green space: Decreased by £0.46m planned budget reduction and a further £0.160m in respect of agreed budget reductions;
- Planning & Regulation: Decreased by £0.385m in respect of agreed budget reductions;
- Management & delivery of TB eradication & other Endemic diseases: Decreased by £1.585m budget realignment and £5.8m agreed budget reductions;
- Develop & deliver overarching policy and programmes on Agriculture, Food & Marine: increased by £3.403m budget realignment;
- CAP Administration & making payments according to EU and WG rules: Increased by £0.26m budget realignment plus decrease of £0.3m agreed budget reduction;
- Delivering the programmes within the Rural Development Plan: Decreased by £6.458m in respect of previous planned budget reductions and a further £5.093 in respect of recent agreed budget reductions;

- Evidence based development for Rural Affairs: Decreased by £0.2m in respect of budget realignments;
- Developing and managing Welsh marine, fisheries and aquaculture including the enforcement of Welsh Fisheries: Increased by £0.397 budget realignment to co-finance the European & Maritime Fisheries Fund;
- Meeting the needs of rural communities & rural proofing WAG actions: Decreased by £2.305m as a result of budget realignments.

Capital Allocations

8. In the draft budget 2015-16, the Natural Resources indicative DEL reduces by £6m compared to 2014-15 but increases by £5.095, comprising the following:

- Develop and implement climate change, emission prevention and fuel poverty policy, communications, legislation and regulation has received £5m funding from central reserves in respect of Green Growth;
- Promote & support protected landscapes, wider access to green spaces has increased by £0.190m: During the budget preparations under the previous Natural Resources, Culture & Sport MEG capital pressures were identified for National Parks and a further £0.190m was reallocated from within the MEG.

9. In the Final Budget for 2014-15, the 2015-16 Natural Resources capital budget was increased by £42.5m, comprising the following allocations to support priorities in the Wales Infrastructure Investment Plan:

- Flood Risk Management and Water: There was an increase of £7.5m in 2014-15 and £12.5m in 2015-16 to reduce flood and coastal erosion risk for an estimated 2,000 homes, businesses and vital infrastructure and improve community resilience to flooding;
- Fuel Poverty programme: Investing in tackling fuel poverty in housing is one of our investment priorities as set out in the Welsh Infrastructure Investment Plan and to support this delivery an additional £35m Capital was allocated in 2014-15 with a further £35m in 2015-16. This funding will be used on Arbed ECO programmes to improve the energy efficiency of 70,000 existing homes in Wales to bring them up to an acceptable energy efficiency standard (at least a D energy rating) by March 2016.

Preventative Spend

10. Many of our programmes across the Natural Resources portfolio are preventative in nature, for example, our investment in Flood and Coastal Erosion Risk Management is vital to alleviate risks and reduce the likelihood of major economic losses following flooding. We are investing over £50m during 2015-16 in essential flood protection programmes. Investment activity in flood prevention has demonstrable links to job creation and protection. Recent research shows that an investment of £100m reduces risk for 7,000 homes and business, protects over 14,000 jobs and creates over 1,000 jobs. Flood investment also provides potential additional benefits to transport, infrastructure, tourism, recreation and regeneration.
11. Another example would be in respect of The Tidy Towns grant scheme (now incorporating the Tranquil Greener Cleaner Places grant) that encourages applications for projects covering preventative spend by dealing with issues such as littering, dog fouling and air quality improvement measures.

Programme for Government

12. All of our budgets are aligned to Programme for Government commitments and are deliverable from within the available budget. It is a question of being able to prioritise the work from within the overall budgets. This will clearly be the challenge and I will be ensuring that we and our delivery partners are focussed on delivering against these commitments. In addition, I have ensured that I have in place a robust system of monitoring and evaluation in particular to demonstrate value for money across all of our expenditure programmes. Annex A will detail by BEL all of our budgets which are aligned to programme for government commitments and further evidence is provided below in the budget priorities.

Legislation

13. My officials have worked with counterparts in Communities & Tackling Poverty and Housing & Regeneration Departments to ensure alignment of the Environment Bill provisions with those of the Well-being of Future Generations and Planning Bills. Particular attention has been paid to achievement of the shared aim for these Bills: to simplify and clarify current regulatory processes and to put in place an effective and joined-up legislative architecture for sustainable development.
14. The Environment Bill will establish a framework for the sustainable management of our natural resources, embedding sustainable development as a guiding principle to help deliver environmental well-being. This approach will inform the better decision making and long-term thinking which is at the heart of the Well-being of Future Generations Bills, and help to optimise the environmental, social and economic outcomes for Wales. The budget for the Environment Bill is contained within the

“Develop and implement climate change, emission prevention and fuel poverty policy, communications, legislation and regulation” Action and it is estimated that the programme related costs will be £68k in 2015/16 and the staff resources are to be managed within the departmental resource budgets.

15. We have worked closely to ensure alignment between the Environment and Planning Bill. The Environment Bill’s area-based approach aims to provide a higher quality evidence base on opportunities and risks in an area to provide a clear and consistent evidence base that can inform the preparation of Local Development Plans. This will support the objectives of the Planning Bill to improve local planning service delivery. The costs of the planning bill will be contained within the “Planning and Regulation” Action and staff resource costs will be managed within the departmental resource budgets.
16. The duties contained in the Well-being of Future Generations Bill will not be implemented until financial year 2016-17. The costs of preparing for implementation that fall to the Natural Resources Department will be met from the “Develop and Deliver overarching policy and programmes on sustainable development and environment” Action, with a budget allocation of £0.776m and staff resources will be managed within the departmental resource budgets.
17. In respect of the Agricultural Sector (Wales) Act 2014: I have allocated a budget (£183k) which covers costs associated with the implementation of the Act such as the enforcement of the provisions of the Act and the establishment and operation of the Agricultural Advisory Panel for Wales. The allocated budget accounts for Secretariat support, panel members’ fees, costs of legal advice, and any other costs associated with the running of the panel. A 12 week consultation exercise was launched on 7th August 2014.
18. The portfolio has responsibility for the implementation of a number of subordinate legislation, including the Nitrate Pollution Prevention (Wales) Regulations 2013, the Environmental Impact Assessment (Agriculture) (Wales) Regulations 2007 and the Water Resources (Control of Pollution) (Silage, Soil and Agriculture Fuel Oil) (Wales) Regulations 2010. There is no separate allocated budget related to the implementation of secondary legislation.

Equality

19. Integrated impact assessments have been undertaken this year for the budget lines showing the most significant budget changes within the Natural Resources portfolio. After reviewing the key changes above, a number of key programmes were subject to Integrated Impact Assessments covering equality, Welsh language and Children’s Rights. Integrated impact assessments are mainstreamed into policy setting as well as budgetary decisions.

20. The results from the impact assessments show that there are no disproportionate impacts on the identified groups due to these budgetary decisions. For example, evidence suggests that the reduction in the waste budget can be managed by local authorities through improvement in efficiency / changes of practice and hence the impact on protected groups will be negligible.
21. Natural resources management led by Natural Resources Wales (NRW) contributes to Article 24 of the United Nations Convention on the Rights of the Child (UNCRC) as it promotes the maintenance of a sustainable natural environment which children can enjoy. NRW can help children and young people connect with, and understand the importance of, our natural resources and their relevance to day to day living. The budget reduction attributed to NRW will not impact on this activity.
22. Children in Wales (CIW) recently responded to the Equality Impact Assessment carried out on the proposed RDP 2014-20 Consultation. "Children in Wales" is the national umbrella organisation in Wales, bringing organisations and individuals from all disciplines and sectors together. Its role is to make the United Nations Convention on the Rights of the Child a reality in Wales. CiW welcomed that the EIA recognises that retaining young people is one of the greatest challenges facing rural Wales. Young people find it particularly difficult to find work, training opportunities, social activities, affordable housing, accessing services etc in rural areas. This is even a greater challenge for young people and families who wish to live through the medium of Welsh.

European funds and programmes

23. Green Growth is a path of economic growth that uses natural resources in a sustainable manner. We are developing options to support and encourage investment in energy and resource infrastructure in Wales. These options include *Green Growth Wales*, a potential fund that will be a central pillar of the Government's flagship Green Growth agenda. It will publicly demonstrate the Government's commitment to sustainable development, supporting green investment, reducing carbon emissions, and delivering more effective use of our natural resources. Growth Wales will create additional renewable capacity equivalent to at least 10% of Wales' electricity needs over 20 years, and benefit the Welsh economy and people by bringing in additional investment and creating/protecting employment through renewable energy projects and resource reduction.
24. We have been allocated an initial £5m during 2015/16 capital funding through the repayable financial transaction funding to further develop the Green Growth business case and options which include European Investment Bank (EIB) and/or Green Investment Bank (GIB) co-financing.

25. The “CAP Administration and making payments according to EU and WG rules” Action and the “Delivering the programmes within the Rural Development Plan” Actions are responsible for administering all aspects of the European Union's (EU's) Common Agricultural Policy (CAP) in Wales. This involves paying The European Agricultural Guarantee Fund (EAGF) Direct Aid to farmers – The Single Payment Scheme, and The European Agricultural Fund Rural Development (EAFRD) - Rural Development Plan support.
26. Administering the Single Payment Scheme effectively is a key priority. The payments are 100 per cent funded by EU, totalling some £300 million per annum. If we do not meet the stringent requirements set by the European Commission for the effective management of the EU funds, there is the risk of disallowance i.e. the Welsh Government is effectively penalised. Compared to other administrations in the UK, Wales has a good track record on re-assuring the Commission on how we deploy EU resources.
27. As part of the Common Agricultural Policy the delivery of the Rural Development Plan (RDP) 2007-2013 is a key priority. The Plan is worth £847m over the 7 year period, of which Welsh Government must contribute approximately £550m.
28. The total funding package for the new RDP 2014-20 will require some £400m of domestic co-financing. This brings the total investment for the new RDP, after including the transfer from Pillar 1 and the EU contribution, to over £950m. It is important that the domestic co-financing budget is able to fund the Welsh Governments commitments, not only in 2015/16, but sustainably over the programme period.
29. The current European Programme provides £50million grant for flood and coastal defence schemes at a grant rate of approximately 45%. The full grant is close to being allocated and provision has been made within the flood budget for match funding. The current six year programme concludes in 2015. Moving forward into the next round of European funding, there is no provision for a stand alone flood project as with this current funding. However, we will seek opportunities to work in partnership to embed flood risk management into other projects (e.g. regeneration schemes, tourism projects).
30. The current Arbed ERDF project is £45m over 3 years with £33m from ERDF. The remainder of the funding comes from Welsh Government. The overall investment objectives of the project are to: improve the energy efficiency of a minimum of 4,790 existing homes in Wales by the end of 2015 and to reduce greenhouse gas emissions by a minimum of 11.6 ktCO₂ by the end of 2015. Looking forward, Priority 3 of the 2014-2020 programme is focussed on Renewable Energy and Energy Efficiency. Approximately 30% of the funding available from this Priority is to be spent on energy efficiency with the remainder spent on Marine energy and on small scale renewable energy.

31. We continue to invest in Ynni'r Fro from within our energy efficiency budgets which support community groups to progress small to medium scale renewable energy projects, in order to generate community owned funding. In the main this funding is applied to projects to tackle poverty, address energy efficiency and develop more sustainable communities.

Fuel Poverty

32. We have continued to largely protect investment in energy efficiency schemes such as NEST and Arbed and will be investing over £56m during 2015-16, including additional capital funding of £35m. These schemes are targeted at improving the energy efficiency of communities and help to tackle fuel poverty, reduce energy costs, and reduce carbon emissions as well as providing significant community benefits and market development in energy efficiency. Alongside this funding we will look to increase investment by attracting the new energy company obligation, ECO into Wales to operate alongside our Nest and Arbed programmes and through joint partnership with local authorities, registered social landlords and energy companies.

33. Due to recent changes in ECO announced by the UK Government, various actions are being taken to leverage the ECO funding such as a parallel programme of Arbed ECO funded activity to be delivered alongside the Arbed 2 scheme and a grant scheme for local authorities to deliver area based energy efficiency programmes that draw in ECO.

Flooding and Coastal Protection:

34. I have protected the overall flood and coastal protection budget at £50m in 2015/16 as this is a key priority in terms of preventative spend, creating jobs and contributing to the poverty agenda. NRW carried out a review into coastal flooding, following the winter storms of December 2013 and January 2014. The first part of the review, published in February, identified that as a result of our continued investment in flood and coastal risk management, during the winter storms, less than 1% of the properties and agricultural land at potential risk experienced flooding. In addition to the baseline funding, we are preparing a proposal for innovative finance to support the coastal risk management programme. This will provide support to local authorities for coastal adaptation schemes in accordance with the Shoreline Management Plans for Wales.

Wales Data Hub

35. A key principle of the information Hub is to ensure the hub is developed in the most efficient and effective way to add value to the existing network. As such, development of the hub has built on existing systems, utilising existing 'in house' skills and resources. A first release of the Information Hub website 'Our Environment' is now live and actively seeks feedback. The next stage includes development of a strategic plan which will address

resource requirements for further user led development and long term maintenance of the Hub. Use and value of the website will be carefully monitored through usage statistics, from the feedback sought via the website and through direct discussion with stakeholders.

Nature Fund

36. The Nature Fund will be used to support activity in seven Nature Action Zones across Wales: Brecon Beacons, Cambrian Mountains, Conwy Valley, Pembrokeshire Coast, South Wales Valleys, Berwyn and Migneint and the Llyn Peninsula. Two projects have been approved and a further one is under consideration. One project approved is a collaborative landscape scale project led by Coed Cymru collaborating with River trusts and local landowners which directly affects four of the Nature Action zones.
37. In July we published a report 'Assessing the Potential for Payments for Ecosystems Market Mechanisms' (PES) in Wales. The report concluded that there are a number of considerations/barriers that we need to address as we develop policy around PES in Wales and makes a number of recommendations including the use of pilots to develop markets in Wales. A PES steering group has been formed to take forward the development of a PES Road Map. This Road Map will detail our next steps in the development of PES in Wales and will be published before the end of this year.

Marine and Fisheries

38. I am committing £1.9m revenue funding towards the Marine and Fisheries programmes which include the match funding for the European Maritime Fisheries Fund (EMFF) and the Marine Action Plan. Work on the Welsh National Plan began with the statement of Public Participation published earlier this year, in line with the Marine and Coastal Access Act 2009. The Welsh National Marine Plan (WNMP) is due to be published in 2015. A draft Strategic Scoping Exercise (SSE) which is a consideration of the evidence for the WNMP, an interactive Marine Planning Evidence Portal and the draft Vision for the Plan along with an outline of the contents of the Plan have been made available for comment on the Welsh Government's website.

Nature Recovery Strategy

39. The Nature Recovery Plan for Wales will fulfil our commitment, under the Convention on Biological Diversity (CBD), to have in place a national biodiversity strategy and action plan by 2015. The CBD goals and targets cover all sectors of society and make particular reference to agriculture, fisheries and forestry. Strategic Nature Recovery Plan actions focus on effective natural resource management, primarily through the Environment Bill, delivering a Welsh National Marine Plan, facilitating cross-sector policy integration, funding our partners; and identifying and using other financial

instruments; reviewing designated sites and species; monitoring and reviewing regulatory instruments; encouraging effective communication and engagement, and improving our evidence base.

Water Strategy

40. We have recently consulted on our Water Strategy for Wales. This set out the future direction of water policy in Wales and how we will ensure that water continues to meet the needs of communities, business and the environment. A summary of responses will be published this autumn and my consideration of these responses will inform the development of the final strategy. A £0.27m budget has been allocated within the flood risk management and water budget expenditure line (BEL), which supports the provision of technical expertise in relation to water matters, evidence and research in support of the Strategy's objectives and engagement with stakeholders and regulators.
41. In addition, £572m or 60% of the total budget of the Rural Development Plan 2014-20 is allocated to area based measures which include a mixed capital and revenue mechanism tailored around the delivery of the Water Framework and Habitats Directives. This funding will help to contribute to the delivery of many of the objectives set out in the Water Strategy. The Welsh Government is also responsible for the regulation of the water industry in Wales. This industry will be investing over £3 billion between 2015-20 on improving water services in line with the ambitions set out in the Water Strategy.

Forestry

42. The allocations regarding Forestry are contained within the "Deliver Nature Conservation and Forestry Policies" Action investing £0.238m, as well as investing through the Grant In Aid to Natural Resources Wales (NRW), the Nature Fund and within the RDP. We are working with NRW and the private forestry sector to develop a timber strategy for Wales to ensure we get the best economic outcomes from the harvest of timber from both public and private woodlands.
43. The announcement at the Royal Welsh Show of the award of support under the Nature Fund to NRW and Coed Cymru to promote woodland creation and management has been welcomed as demonstrating the Welsh Government's commitment to supporting forestry in Wales. The Welsh Government has set a target to create 100,000 hectares of new woodland over the next 20 years and measures in the RDP 2014-2020 proposals provide strong support for forestry and woodland creation in Wales. Subject to the confirmation of the RDP these measures should support a continued increase in woodland creation in the coming years.

Climate Change

44. Climate change is fundamentally linked to growth and jobs as it has an impact on our economic prosperity and crucially provides significant opportunities for the future and in particular around green growth. We have allocated over £2m in 2015-16 which supports work on understanding the economic evidence and significant opportunities around climate change action – mitigation and adaptation – with green growth. The work also looks at climate resilience – for the economy, for society and for the environment.

Energy Wales Delivery Plan

45. A budget of £0.5m has been allocated to support the delivery of the Energy Wales Delivery Plan commitments. This budget covers ‘enabling’ themes within the Energy Wales Programme including energy policy, evidence and research in support of delivering energy commitments, and supporting new policy proposals such as the Register of Community and Economic Benefits. The Energy Wales Delivery Plan is cross-cutting across the whole of the Welsh Government, with commitments, and consequently funding, coming under a number of other portfolio areas. It is an excellent example of joined up Government with departments working together to maximise the impact of Welsh Government spend.

Kevin Roberts Review

46. The independent review by Kevin Roberts into the ‘Resilience of Farming’ made 41 recommendations in total. In particular, he highlighted the need for a tiered and tailored approach to our business development services in Wales, which focus on enhancing farm technical performance in an environmentally sensitive manner.

47. All of these recommendations were accepted and proposals are currently being worked up so that the Rural Development Programme can underpin its delivery. The majority of these activities will be focused on supporting the industry and the wider supply chain to modernise and develop new markets and products. A key recommendation was for the need to implement a third party scrutiny process to track progress on the delivery of the agricultural strategy. This will have a future cost implication when its established.

RDP / CAP Communications

48. Welsh Government officials work closely with representatives of the farming industry, land owners and other interested parties to ensure farmers understand what the CAP Reform changes mean and how to qualify and claim for new payments. An explanatory booklet about the Basic Payment Scheme was issued in July 2014 to all existing customers and an explanatory guide to the Greening Scheme was issued in September 2014. An explanatory guide on National reserve will be

available later in the year and a full guide on the Basic Payment scheme and associated schemes will be included in the Single Application Form pack next year. The Welsh Government website contains all of this information and is regularly updated.

Bovine TB

49. The eradication of bovine TB in Wales is a long term objective. The single largest element of expenditure derived from the TB Eradication Programme BEL is for the implementation of the Intensive Action Area badger vaccination project. Other projects funded from this budget include the annual TB testing of all cattle herds in Wales, the Cymorth TB initiative, the Epidemiology Cluster project, advanced management of persistent herd breakdowns and the private vaccination of badgers through the Badger Vaccination Grant. This budget also meets costs for additional Animal Health and Veterinary Laboratories Agency (AHVLA) support to the Eradication Programme.
50. The portfolio budget in 2015-16 for TB Eradication is to reduce from £10m to £7.915m to fund other priorities such as the EID Cymru programme and County Parish Holdings (CPH) programme. I believe that the reduced TB Eradication portfolio budget (of £7.915m) is likely to meet the commitments contained within the TB Eradication Plan for 2015-16. However it is important we guard against anything that will compromise the approach for eradicating TB in Wales over the longer term.

TB slaughter payments and receipts

51. The Welsh Government has a statutory obligation to compensate farmers for animals slaughtered under the TB Eradication Programme. Inevitably, in the short to medium term, the impact of new or enhanced measures aimed at finding disease, are going to have knock-on impacts on the TB slaughter payments and receipts BEL. The scale of these impacts in each case is difficult to predict. The fact that this budget is demand led and expenditure is also dependent on the number and value of animals being slaughtered under the TB Eradication Programme means that it is very difficult to accurately forecast expenditure against this budget.
52. We are currently seeing reductions in the number of new TB herd incidents and the number of cattle slaughtered. This has resulted in reductions in expenditure against the TB slaughter payments and receipts BEL. The budget for TB slaughter payments and receipts for 2015-16 is to be revised to £9.86m but expenditure against this budget will be monitored closely, particularly given the unpredictable nature of costs associated with TB compensation.

Bovine TB - Cymorth TB

53. The Cymorth TB pilot officially came to an end in May 2014. Following a review undertaken by Cardiff University Social Scientists actions are now being rolled out to other areas, taking account of lessons learned from the pilot. Currently there are two elements of expenditure associated with Cymorth TB, principally the costs of the Official Veterinarian (OV) visits to farmers who wish to take advantage of the Cymorth TB facility and secondly the additional costs of AHVLA for the administration and facilitation of the arrangements for the visits. The costs of this project has been estimated to be in the region of £250k per annum. This is dependent on farmer take up of Cymorth TB.

Bovine TB – Intensive Action Area

54. The estimated cost for the delivery of badger vaccination in the Intensive Action Area in 2015-16 is £1.3m. Costs associated with the delivery of Intensive Action Area are outlined in the annual Intensive Action Area badger vaccination report.

Wales Animal Health and Welfare Framework

55. The management of the Framework is assisted by 6 independent publicly appointed members. There is funding to support the Group directly which is drawn from the Animal Health and Welfare BEL and covers the costs of the Group and expenditure for small scale initiatives such as compiling evidence on priorities to support recommendations to Ministers. This funding for this aspect is currently set at £150k and is accommodated within existing budget.

Local Authority Framework Funding

56. This budget was established by Defra in response to Foot and Mouth Disease 2001, to provide ring fenced funding to improve and standardise Animal Health and Welfare enforcement activities. The funding is additional to funding provided via the Revenue Support Grant (RSG). In October 2010, as part of the UK Government Comprehensive Spending Review, Defra announced they were reducing this budget but a proportion of this was identified as Welsh funding. This was then formally transferred to the Welsh Government. The devolved budget was subject to the same reducing profile set by Defra and its current level is £600k.

57. We are looking to review the LA agreement and associated financial support. There remains provision of £600k in the budget for 2015-16 to support on-going LA commitments relating to animal health and welfare and livestock identification. There is no new animal health and welfare legislation currently planned that has a specific budget implication for Local Authorities that has not been taken into account in the formulation of legislation.

Agricultural Strategy

58. Officials are currently developing an outline of an Agriculture Strategy Development Programme for Wales following early engagement across Welsh Government departments. The Strategy will require the creation of governance structures and the use of existing delivery mechanisms to ensure wherever possible the adoption of an expedient and efficient approach is adopted and maximises the use of resources. Detailed action plans will be developed to support and monitor the implementation of the strategy and these will focus on the cultural and behavioural as well as physical changes needed.
59. Formal/detailed Ministerial engagement and involvement of external stakeholders has not yet taken place beyond a Ministerial indication that the Strategy should be ready for launch in spring 2015.

Animal Health and Veterinary Laboratories Agency

60. The majority of surveillance budgets are centrally held by Defra on behalf of the GB Administrations. As a consequence of a significant reduction in the number of Post Mortem Examination (PME) submissions being made to the AHVLA's Veterinary Investigation Centre in Aberystwyth, AHVLA considered it was no longer viable to continue offering the PME service. As a consequence of implementing AHVLA's Surveillance 2014 Project, the site ceased providing a PME service in March 2013 and was used as a collection centre for carcasses. The collection centre service ceased on 1st September 2014.
61. Officials are working with AHVLA and interested parties to explore options for the reintroduction of veterinary investigation services to cover mid and North Wales. South Wales will continue to be served by the AHVLA's Veterinary Investigation Centre at Carmarthen. There is no commitment at the current time for the Welsh Government to support the development of the services for mid and North Wales and therefore there are no additional budget implications.

Developing agri-food sector, associated supply chains and promotion of food

62. The budget allocations regarding the food sector and associated supply chains can be seen in the BEL table in Annex A. The "Promoting Welsh Food" BEL 2970 has remained protected at £5m, whilst the budgets within the RDP Axis 1 regarding associated supply chains have increased over 2014/15 levels.
63. We continue to work with partners throughout the industry to build on its' strengths and to add value to Welsh food/drink at every point in the supply chain. Against the backdrop of economic growth and job creation (within the Council for Economic Renewal's Economic Framework, and endorsement of green growth as a new approach to economic

development); and as part of the Tackling Poverty plan and our aim to address food poverty; and in face of the food safety and food security agendas; the division works to support the food and drink industry in Wales. It also has statutory responsibilities for the industry in Wales as a devolved area.

64. I am committed to support, deliver, monitor and evaluate “*Towards Sustainable Growth*” – an action plan for the Food and Drink Industry 2014-2020 which outlines actions to achieve growth in the industry; to ensure industry and government work in partnership to promote growth; support an innovative industry with cutting edge products and processes, and a skilled workforce with employment prospects; to increase the market share of Welsh food and drink; and to help the food sector in Wales become more sustainable economically, socially and environmentally.

Carl Sergeant AM
Minister for Natural Resources

Rebecca Evans,
Deputy Minister for Farming
and Food

NATURAL RESOURCES MAIN EXPENDITURE GROUP (MEG)														
SPA	Actions	Budget Expenditure Line (BEL)	BEL	Division	2014-15 Supp Budget June 2014	2015-16 indicative Plans Final Budget Dec 2013	2015-16 Transfers within MEG	2015-16 MEG to MEG Transfer	2015-16 Allocations to/from Reserves	2015-16 UK Government Transfer	2015-16 AME Changes	2015-16 New Plans Draft Budget	Comments	
RESOURCE BUDGET - Departmental Expenditure Limit					£000's									
Climate Change and Sustainability	Develop and deliver overarching policy and programmes on sustainable development and environment	Environment Legislation and Governance	2812	Sponsorship	181	181						181		
		Sustainable Development	2810	CCNRM	776	776						776	Transfer in from LGC	
		Sub Total			957	957	0	0	0	0	0	957		
	Develop and implement climate change, emission prevention and fuel poverty policy, communications, legislation and regulation	Climate Action and Resilience	2815	CCNRM	660	660	-660						0	1. Re-alignment of budget £5k to Radioactivity and Pollution BEL 2817; 2. Realignment of Climate Change budgets.
		Change name to: Climate Change & Natural Resource Management	2816		1,620	1,620	655						2,089	1. Realignment of Climate Change budgets; 2. Budget reduction
		Fuel Poverty Programme	1270	P&E	3,450	3,450							3,350	1. Budget reduction
		Energy Efficiency Programmes	3771		5,300	5,300							5,200	1. Budget reduction
		Sub Total			11,030	11,030	-5	0	-386	0	0	0	10,639	
	Develop and implement flood and coastal risk, water and sewage policy and legislation	Flood Risk Management & Water	2230	EWF	27,398	27,398							25,398	1. Budget reduction, increased capital
		Sub Total			27,398	27,398	0	0	-2,000	0	0	0	25,398	
	Facilitate clean and secure energy and industry investment	Radioactivity & pollution prevention	2817	P&E	480	480	5						385	1. Re-alignment of budget £5k from Climate Change BEL 2815; 2. Budget reduction
		Clean energy	3770	EWF	600	600							500	1. Budget reduction
		Sub Total			1,080	1,080	5	0	-200	0	0	0	885	
	Manage and implement the Waste Strategy and waste procurement	Manage and implement the Waste Strategy and waste procurement	2190	Waste & Resource Efficiency	78,030	77,030							74,988	1. Budget reduction
		Waste regulation	2194		300	300							300	
		Sub Total			78,330	77,330	0	0	-2,042	0	0	0	75,288	
	Total Climate Change and Sustainability					118,795	117,795	0	0	-4,628	0	0	113,167	
	Environment	Deliver nature conservation and forestry policies	Environmental Mgt support funding	2824	LNFD	1,205	1,205						1,205	
Natural Environment			2825	1,725		1,725	656					2,000	1. JNCC - Clear Line of Sight, 2. £381k Budget reduction	
Forestry			2827	0		0	238					238	Transfer from NRW - Forestry Programme	
Sub Total				2,930		2,930	894	0	-381	0	0	0	3,443	
Manage and implement environmental improvement		LEQ & Keep Wales Tidy	2191	P&E	4,900	4,900							4,400	1. Budget reduction
		Cynefin	2192		736	736							736	
		Sub Total			5,636	5,636	0	0	-500	0	0	0	5,136	
Sponsor and manage delivery bodies		Natural Resources Wales	2451	Sponsorship	70,845	68,344	-894	-450	-3,188				63,812	1. Transfer to LNFD; 2. JNCC - Clear Line of Sight; 3. transfer to CS&A MEG - Forestry staff costs; 4. £3,188k Budget reduction
		Natural Resources Wales - Non cash	2451		3,090	3,090							3,090	
		Sub Total			73,935	71,434	-894	-450	-3,188	0	0	0	66,902	
Total Environment					82,501	80,000	0	-450	-4,069	0	0	75,481		
Evidence Base	Developing an appropriate evidence base to support the work of the Department	Environment Management (Pwlpeiran)	2814	LNFD	8	8						8		
		Environmental Evidence & Support	2818		1,076	1,076							876	1. Budget reduction
		Sub Total			1,084	1,084	0	0	-200	0	0	0	884	
Protecting plant health and developing GM policies	Other Plant Health Services	2821	LNFD	52	52							52		
Total Evidence Base					1,136	1,136	0	0	-200	0	0	936		
Landscape & Outdoor Recreation	Promote & support protected landscapes, wider access to green space	National Parks	2490	ORL	10,417	9,967							9,557	
		Access	2494		290	290							130	
		Sustainable Development Grant	2823		350	350							300	
Total Landscape & Outdoor Recreation					11,057	10,607	0	0	-620	0	0	9,987		
Total Environment & Sustainable Development					213,489	209,538	0	-450	-9,517	0	0	199,571		
Planning	Planning & Regulation	Planning & Regulation expenditure	2250	Planning	6,806	6,806							6,421	
Total Planning					6,806	6,806	0	0	-385	0	0	0	6,421	
Protecting and	Support & Delivery of the Animal Health & Welfare programme/strategy	Animal Health and Welfare	2270	OCVO	600	600							600	
		Sub Total			600	600	0	0	0	0	0	0	600	
		TB EU Income	2269										-3,500	

NATURAL RESOURCES MAIN EXPENDITURE GROUP (MEG)													
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Improving Animal Health and Welfare	Management and delivery of TB Eradication and other Endemic Diseases	Animal Health & Welfare Delivery & payments	2271	OCVO	18,781	18,781	500		-3,500			15,781	
		TB Slaughter Payments, Costs and Receipts	2272		11,660	11,660			-1,800		9,860		
		TB Eradication	2273		10,000	10,000	-1,585		-500		7,915		
		Sub Total			37,441	37,441	-1,585	0	-5,800	0	0	30,056	
Total Protecting and improving Animal Health and Welfare					38,041	38,041	-1,585	0	-5,800	0	0	30,656	
Agriculture, Food & Marine	Change name: Develop and deliver overarching policy and programmes on Agriculture, Food and Marine	Agri Strategy	2829	ARAD	20	20						20	
		Customer Engagement	2860		0	0	500				500		
		Livestock Identification	2863		0	0					0		
		Technical Advice Services	2864		0	0	200				200		
		New Farm Entrants	2794		0	0	0				0		
		Local Authority Enforcement Funding	2831		0	0	600				600		
		CPH Project	2861		0	0	1,385				1,385		
		EID Cymru	2862		0	0	535				535		
		AWB	New		0	0	183				183		
		Sub Total			20	20	3,403	0	0	0	0	0	3,423
	Change name: CAP Administration and making payments according to EU and WG rules	Sheep Compensation	2274	RPW	300	300			-300			0	
		Single Payment Schemes EU	2787		300,000	300,000					300,000		
		Single Payment Schemes EU - Receipts	2787		-300,000	-300,000					-300,000		
		SP Administration	2790		7,050	7,050	-500	-30			6,520		
		CAP Reform	2789		0	0	790				790		
		Sub Total			7,350	7,350	290	-30	-300	0	0	7,310	
	Delivering the programmes within the Rural Development Plan	RDP Axis 1 - Farming Connect	2843	ARAD	1,540	0	564					564	
		RDP Axis 1 - RDP Farm Advisory Service	2844		140	0	12					12	
		RDP Axis 1 - PMG	2845		0	0	835					835	
		RDP Axis 1 - Supply Chain Efficiency	2846		750	135	1,538					1,673	
		RDP Axis 4 - Strategy	2847	CAP Planning	1,551	0						0	
		RDP Axis 4 - Co-Operation	2848		269	0						0	
		RDP Axis 4 - Running Costs	2849		503	133	468					601	
		RDP Axis 2 - Tir Gofal	2921	RPW	523	0						0	
		RDP Axis 2 - Tir Cynnal	2922		0	0					0		
		RDP Axis 2 - Tir Mynydd	2923		0	0					0		
		RDP Axis 2 - Improved Land Premium	2924		27	0	27				27		
		RDP Axis 2 - Organic Farming	2926		2,287	0	5				5		
		RDP Axis 2 - Other Agri-Environment Schemes	2927		3	0					0		
		RDP Axis 2 - FWS/FWPS	2928		257	224	-4				220		
		RDP Technical Assistance	2931		CAP Planning	1,765	1,588	-258			1,330		
		RDP Other Expenditure	2933			540	450	-450			0		
		RDP Axis 2 - Glastir Entry and Advanced	2871		RPW	11,034	11,993	4,904				16,897	
RDP Axis 2 - Glastir Common Land Element		2872	1,677	1,657		1,214				2,871			
RDP Axis 2 - Glastir Acres		2873	0	0						0			
RDP Axis 2 - Glastir Woodland		2874	17	0		198				198			
RDP Axis 3 - Diversion into Non Ag	2941	CAP Planning	78	0					0				
RDP Axis 3 - Support for Business Creation	2942		1,312	0					0				
RDP Axis 3 - Encouragement of Tourism Acc	2943		527	0					0				
RDP Axis 3 - Basic Services for Economy	2944		391	0					0				
RDP Axis 3 - Village Renewal & Development	2945		135	0					0				
RDP Axis 3 - Conservation & Upgrading of	2946		267	0					0				
RDP Axis 3 - Provision of Training & Inf	2947		237	0					0				

NATURAL RESOURCES MAIN EXPENDITURE GROUP (MEG)														
SPA	Actions	Budget Expenditure Line (BEL)	BEL	Division	2014-15 Supp Budget June 2014	2015-16 indicative Plans Final Budget Dec 2013	2015-16 Transfers within MEG	2015-16 MEG to MEG Transfer	2015-16 Allocations to/from Reserves	2015-16 UK Government Transfer	2015-16 AME Changes	2015-16 New Plans Draft Budget	Comments	
Agriculture, Food & Marine	Delivering the programmes within the Rural Development Plan	RDP General	2841	RPW	0	0						0		
		RDP Axis 1 - PMG	2845	CAP Planning	3,016	542	621						1,163	
		RDP Axis 4 - Strategy	2847		146	0							0	
		RDP Axis 4 - Co-Operation	2848		303	0							0	
		RDP Axis 4 - Running Costs	2849		0	0							0	
		RDP Axis 2 - Tir Gofal	2921		77	0							0	
		RDP Axis 2 - Glastir Entry and Advanced	2871	RPW	3,458	5,333	-856						4,477	
		RDP Axis 2 - Glastir Common Land Element	2872		0	0							0	
		RDP Axis 2 - Glastir Acres	2873		1,350	855	-252						603	
		RDP Axis 2 - Glastir Woodland	2874		338	33	966						999	
		RDP Axis 1 - Catchment Sensitive Farming	2925		0	0							0	
		RDP Axis 3 - Diversification into Non Ag	2941	CAP Planning	188	0							0	
		RDP Axis 3 - Support for Business Creation	2942		357	0							0	
		RDP Axis 3 - Encouragement of Tourism Acc	2943		302	0							0	
		RDP Axis 3 - Basic Services for Economy	2944		235	0							0	
		RDP Axis 3 - Village Renewal & Development	2945		262	0							0	
		RDP Axis 3 - Conservation & Upgrading of	2946		192	0							0	
		RDP Axis 3 - Provision of Training & Inf	2947		361	0							0	
		RDP Axis 3 - Skills Acquisition	2948		0	0							0	
	RDP 2014-20	2949	138		3,960	-479						3,481		
	Sub Total						10,723	10,723	0	0	0	0	10,723	
	Developing, managing and enforcing Welsh marine, fisheries and aquaculture including the enforcement of Welsh Fisheries	Fisheries Schemes	2830	CAP Planning	0	0	110						110	
		Marine & Fisheries	2870	Marine & Fisheries	1,000	1,000	-1,000						0	
Sub Total					1,000	1,000	-890	0	0	0	0	110		
Total Department for Agriculture, Food & Marine					11,723	11,723	0	0	0	0	0	11,723		
Total Capital - Natural Resources					116,490	110,490	0	190	5,000	0	0	115,680		

Annually Managed Expenditure													
Environment	Sponsor and manage delivery bodies	Natural Resources Wales - Pensions	2452		2,900	2,900	0	0	0	0	0	2,900	
		Sub Total			2,900	2,900	0	0	0	0	0	2,900	
		Total Annually Managed Expenditure- Natural Resources			2,900	2,900	0	0	0	0	0	2,900	

NATURAL RESOURCES MAIN EXPENDITURE GROUP SUMMARY													
		Resource			320,709	310,300	0	-480	-21,095	0	0	288,725	
		Capital			116,490	110,490	0	190	5,000	0	0	115,680	
		Total DEL			437,199	420,790	0	-290	-16,095	0	0	404,405	
		Annually Managed Expenditure			2,900	2,900	0	0	0	0	0	2,900	
		Total - Natural Resources			440,099	423,690	0	-290	-16,095	0	0	407,305	

Environment and Sustainability Sub-Committee

Date: 23 October

Time: 12:45 – 14:45

Title: Evidence paper – Draft Budget 2015-16
Additional Information - Planning Budget and Planning Bill
Minister for Natural Resources;

1. This paper provides information on the Planning proposed budget for 2015/16, and implications for the Planning (Wales) Bill. The Planning budget for 2015/16 is £6,421k which is a decrease of £385k from the 2014/15 Supplementary budget.
2. The budget includes funding for building regulations, reflecting the transfer of responsibility for building regulations to the Chief Planner in Spring 2013.
3. The land use planning system has a vital role in shaping Wales's future by helping to deliver the jobs, homes and infrastructure that we need, while protecting and enhancing our built and natural environment. Similarly, the building control system is about securing the health, safety and sustainability in buildings. Both are key tools for delivery of the Welsh Government's commitment to sustainable development and the low carbon agenda.
4. The Welsh Government provides the legislative, policy and guidance framework needed to deliver both the planning and building control systems, which are delivered on a day to day basis by local planning authorities, private sector and local authority building control bodies.
5. The Planning programme budget funds key elements of the planning and building control systems, ranging from evaluation and development of policies and procedures to inform primary and secondary legislation, Planning Policy Wales, technical advice notes and transposing European legislation, through to funding delivery by the Planning Inspectorate Wales, Design Commission for Wales and Construction Excellence Wales, for example. The budget also includes some funding streams tangential to planning and building control.

2015/16 Budget for Planning

6. The programme budget for Planning Division is at BEL 2250 and is as outlined below.

	2014/15 Supplementary Budget £000	2015/16 Draft budget £000
Planning	6,806	6,421

7. The reduction will not impact on Programme for Government commitments, including the Planning (Wales) Bill, but largely reflect the declining demand for certain programmes, primarily the Aggregates Levy Fund.
8. The financial implications of the Planning (Wales) Bill, including for the Welsh Government, will be detailed in the regulatory impact assessment to accompany the Bill.

Carl Sergeant AM
Minister for Natural Resources

Rebecca Evans AM
**Deputy Minister for Farming
and Food**

Agenda Item 7.1



Comments from Natural Resources Wales on the Regulatory Impact Assessment of the Future Generations Bill

Implementing Results Based Accounting (RBA)

This is a requirement of the Welsh Government (WG) remit letter to Natural Resources Wales (NRW). We have started discussions with our Directors and WG colleagues to understand RBA and how it can be used. At this stage, it's our intended way forward as a part of our Programme approach to delivery over the 3 years of the Corporate Plan (CP). The CP will be published at the end of January 2014.

The CP is outcome focussed, having 7 shared outcomes with WG and indicators to show progress, in some cases at the Wales level. We do not estimate any significant additional costs to move to RBA, as we are already on that journey and will build on the external and internal engagement for the development of the CP.

The outcome approach, where we will show how we are making things better for the people and environment in Wales, shows the required behaviours of the Future generations Bill (FG Bill).

Skills audit

When NRW started, a Skills Audit was undertaken of all staff to identify where NRW may have skills or knowledge gaps. This was not driven by the potential requirements of the FG Bill, but was an essential step in establishing a new organisation.

The approach and outcomes do however align to the principles of the FG Bill. Two areas identified from the skills audit were:

- people did not fully understand our strategic direction, and
- there was a lack of clarity on how we intended to develop the integrated (ecosystem) approach to managing the environment and natural resources.

To start to address this, training sessions have been provided on the principles of an Ecosystems approach and during March 2014 a significant proportion of all NRW staff, as part of the internal staff engagement exercise "The Conversation", were introduced to the CP.

These sessions covered the organisations strategic direction and priorities and helped individuals understand how their own personal delivery plan would play a part in delivering this. Both discussion topics advance our engagement with staff to develop behaviours that will be needed as part of the FG Bill, particularly around the integration principle.

Stakeholder engagement workshops/social media campaign

In order to develop its first CP, we decided to run 10 stakeholder events across Wales, before any drafting had begun or a public consultation commenced. These events were designed specifically to engage key stakeholders and gain their views. 130 stakeholders engaged in this way and the feedback was positive. In addition, there were a number of other events that engaged specific sectors such as recreation and access and flood risk. We have also targeted sectors that previously we had limited engagement with e.g. health.

Such wide engagement, recognising cross organisational working, seeing things from a number of perspectives and listening, show behaviours that delivering the FG Bill will require. This way of working is the approach we will adopt as it moves forward and therefore we do not see this as having significant additional administrative burden.

Natural Resources Wales' engagement with Local Service Boards

Additional information for the Regulatory Impact Assessment: Administrative Burden, of the Future Generations Bill (FG Bill).

1. NRW engagement in Local Service Boards (LSBs):

- We currently engage directly with 8 of the 20 LSBs in Wales.
- We are also engaged with various sub partnerships or fora across 16 Local Authorities (LAs). These are predominantly a Local Authorities Environment Partnership or forum, although with some it includes regeneration partnerships. Not all of the environment partnerships have a direct link to or representation on the LSB.
- The level/grade of attendees range from Officer to Strategic Manager and the number of days per year ranges from 2 to 20+. The majority appear to require an average of 10 days full time equivalent (fte) across a range of staff.

2. Our role includes:

- Providing evidence and data to the Needs Assessment.

We have provided Data and input to some LSBs needs assessments. Where we provide data and evidence, is often related to the relationship we have with the LSB. Information provided to date has been predominantly around Flood Risk, Water Framework Directive and Protected or Designated sites. Over time we will be reviewing our provision of data to stakeholders, but currently we produce data packs for each LA. These are used by our staff to inform such assessments. It does not therefore appear that inputting to an additional number of LSBs would incur significant additional resource with respect to data provision. We are already linked in to the LSB Insight data

sharing approach. We currently share some data sets through that route. The datasets that can be shared in this way may increase over time.

- Provide advice at meetings.
- Provide Chair role to some environment partnerships.
- Manage or contribute to specific projects or activities, for example. Air Quality - Neath Port Talbot; Kafka project Monmouth; Clean Streams Swansea.

Examples of engagement:

Monmouthshire: We have been involved at strategic manager level and acted as Chair of Environment Partnership (approx 10 days fte per year). There would also be input from officer level grades to input the Needs Assessment and make a response to the Single Integrated Plan (approx. 3 fte days a year).

Newport: We are involved at Senior Officer level on the Environment Board (approx. 5fte days per year).

Caerphilly: We have Strategic Manager involvement on the Environment Partnership and provide chair role to groups (approx. 10 days fte per year).

Blaenau Gwent: no involvement.

3. Responding to Single Integrated Plan (SIP) consultations:

We have responded to consultations on 13 SIPs.

When responding to SIP consultations, our engagement goes up, particularly at the officer grade. They would manage coordination of input from across the business and produce NRW's response. Estimate 2-3 days per response to each SIP consultation.

4. Conclusion:

From this rough analysis it would appear that for NRW to engage with all current 22 LAs at the LSB it would nearly triple the current level of involvement at this tier. The LSBs are usually attended by the more senior grades.

We have done a very rough estimate of the cost equivalent of this level of increase in attendance and input, based on an average of 5 days per year at the LSB at an average salary of a senior manager (with on costs). This comes out as an approximate cost of £10k per year to NRW.

There is also likely to be an increase in work for lower grades, particularly if we are then engaged in more sub-partnerships or projects coming out of the LSB. For the additional 6 or 7 LAs we may need to engage with at tiers lower than the LSB, this would equate to an increase in resource cost of approx. £4k per year.

The total additional staff cost to NRW of being required to engage with all LSBs would therefore be approx. £10-15k per year.

However, it must be noted that the resource cost is predominantly time and with budget and resource cuts it is unlikely we would have more staff resource. This activity will therefore have to be undertaken at the time expense of something else.

NRW would not consider this an additional administrative burden. However, if LSBs were positioned as the principal partnership for community decision making, we would see LSBs as a key mechanism for delivery of our outcomes and in combination with others partners outcomes, supporting the sustainable development of Wales. We would therefore be aligning and prioritising our resources accordingly.

If the LSB is not positioned in this way, it may be beneficial for us that there remains flexibility in engagement with the LSB process through the FG Bill. For example, a Duty requiring us to input to the Needs Assessment, but flexibility on how much more engagement within the LSB process and activities, to enable this to be determined at the local level. This would enable us to assess where and how to best employ our resource for the delivery of its shared outcomes and maximise its contribution with others to the sustainability of Wales. Working with stakeholders and partners will be essential for us to achieve this. The LSB is a key partnership, but would need to be positioned as the partnership.

If the FG Bill raises the role and status of the LSB and this provides a common approach across Wales to strategic placed based engagement, this would be beneficial to us. As outlined above, we would then align our resources to this to support delivery of our outcomes. The key to it working is that the stakes need to be raised so that all relevant organisations prioritise similarly, therefore meaning that some of the other 'levels of engagement are de-prioritised and we use less resource overall. If all players have too much flexibility then we will continue to have a cluttered landscape across Wales of place based engagement and inconsistent approaches.

01/04/14

Agenda Item 7.2

Dear Catherine

Following on from my oral evidence to the ES Committee yesterday morning please see attached as additional information a letter to the Wales Carers Alliance from Albert Heaney, Director of Social Services and Integration.

The letter dated 13.01.14. clearly states that the intention of the WG amendment introducing sec.14.3 to the Social Services and Wellbeing Act was intended to address the issues resulting from the repeal of the Carers (Strategies) Measure 2010. By retain a specific obligation on Local Health Boards for carers as well as maintaining the detail of the strategies from the Carers Measure in regulations.

This amendment (115) was introduced on 24.01.14. during Stage 3 of the SSWB Bill. The Act gained Royal Assent on 1st May 2014.

On 7th July the WBFG Bill was introduced and repealed sec.14.3 of the Social Services and Wellbeing Act as well as sec.40 of the NHS (Wales) 2006 Act to which it refers.

From the enactment of the Carers Strategies Measure in 2012, which provided a clear and straight forward joint planning mechanism for carers to the introduction of the WBFG Bill, there has been a steady dilution in the legal status of strategic planning for carers. This not only represents an extremely convoluted legal process but has undermined the implementation and delivery of WG carers policy at a local level across Wales.

As the most straight forward way to resolve this issue, the Wales Carers Alliance is calling on the Welsh Government not to enact the repeal of the Carers Strategies (Measure) 2010 and to include the local carers strategies under the Measure in the list of matters the Public Service Boards must take into account when undertaking their wellbeing assessments under sec.36 of the WBFG Bill.

Do let me know if the Committee require any further information on this issue

Thank you

Keith
Keith Bowen
Director
Carers Wales

Carers Wales, River House, Ynys Bridge Court, Gwaelod-Y-Garth, Cardiff CF15 9SS

Albert Heaney
Cyfarwyddwr Gwasanaethau Cymdeithasol
Director of Social Services and Integration
Adran Iechyd a Gwasanaethau Cymdeithasol
Department for Health and Social Services



Llywodraeth Cymru
Welsh Government

Keith Bowen
Chair of Wales Carers Alliance

13 January 2014

Dear Keith

At the meeting with the Deputy Minister for Social Services on 18 December, you requested further clarification on how the provisions within the Carers Measure would be incorporated within the Social Services and Well-being (Wales) Bill. You also raised a particular matter regarding the Local Health Board leadership role in relation to Health and Well-being Strategies and Carers Information and Consultation Strategies.

The Social Services and Well-being (Wales) Bill introduces a number of gains for carers. For example, the Bill provides a wider definition of carers which includes those who provide, or intend to provide care. The Bill also places a requirement on Local Authorities and Local Health Boards to work together to assess the extent of needs for care and support, which also includes the needs of carers. This means carers will, for the first time, have a right to an assessment of their own support needs. Consultation with carers will also be an integral part of the assessment process for the person cared for. The Code of Practice will set out the expectation of the detailed arrangements that must be in place for consulting carers and the people they care for.

It is our intention to bring forward an amendment, for consideration at Stage 3, which will retain a specific obligation for Local Health Boards in relation to Health and Well-being Strategies.

The Deputy Minister for Social Services also confirmed at the meeting that in relation to the prescription of appropriate information and advice, this will be incorporated with the Regulations and/or Code of Practice which will underpin the Bill.

I am aware that Andy Pithouse has recently spoken to you and that Lisa Dunsford will be attending the Wales Carers Alliance meeting tomorrow. However, I am more than happy to meet, or speak to you, if there are any further issues or concerns.

Yours sincerely



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Mr Alun Ffred Jones AM
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Date: 10 October 2014
Our ref: HVT/2218/fgb
Page: 1 of 2

Dear Alun

**THE WELL-BEING OF FUTURE GENERATIONS (WALES) BILL:
CONSULTATION ON GENERAL PRINCIPLES**

Thank you for your letter of 3 October 2014, and thank you again for the opportunity to present evidence to the Committee on the Bill.

You ask for further details regarding the potential for amending the Bill to include a duty on the Auditor General to examine the embedding of the sustainable development principle, including specific amendments that would need to be made and the potential impact. You also note that I agreed to provide the views of Leading Counsel regarding my current statutory obligations in relation to the Bill in its current form and an example of an existing duty that is similar to a potential duty to examine the embedding of the sustainable development principle.

I enclose a paper that sets out the example of section 41(1) of the Public Audit (Wales) Act 2004 as a starting point for developing a proportionate duty that would ensure that the Auditor General examines certain matters in a particular time frame. The paper goes on to suggest what an appropriate duty in relation to the sustainable development principle should achieve and gives a suggested provision that could be included in the Bill by way of amendment. It also notes the potential impact of such a provision, both in terms of benefits, such as providing robust and independent evidence for the Future Generations Commissioner's work, as well as in terms of broad estimates of the potential costs.

I also enclose a copy of Leading Counsel's advice on my current statutory obligations in relation to the Bill. The key question of interest that I put to Counsel was whether the Welsh Government were correct in saying at paragraph 390 of the Explanatory Memorandum that "the AGW is under a duty to consider the effectiveness and efficiency of the use of resources for the majority of bodies covered by the Bill in undertaking the FG Bill duties...on an annual basis as an integral part of the audit of accounts." As you will see from paragraph 18 of the advice, Counsel confirms that there is no such duty.

You also requested in your letter that, in relation to my observations on the Explanatory Memorandum, I undertake an audit of the underlying working papers. As you will appreciate, I must take account of the views of the Public Accounts Committee regarding such proposed work. I hope to be able to write to you on Tuesday, 14 October 2014, following receipt of the Committee's views.

Given the interests of the Public Accounts Committee and the Finance Committee, I am copying this response to Darren Millar AM and Jocelyn Davies AM.

Yours sincerely



HUW VAUGHAN THOMAS
AUDITOR GENERAL FOR WALES

Encs

cc *Mr Darren Millar AM*
Ms Jocelyn Davies AM

Example of a duty on the Auditor General and suggestions for such a duty to examine how public bodies have embedded the sustainable development principle

1. Section 41 of the Public Audit (Wales) Act 2004 provides a duty¹ on the Auditor General to undertake certain types of study of local government bodies. The full extant text is at the Annex of this document.
2. The element of most relevance in relation to developing a duty of the Auditor General in relation to the Bill is subsection (1) (as extant):

1) The Auditor General for Wales must for each financial year undertake studies designed to enable him to make recommendations—

(a) for improving economy, efficiency and effectiveness in the discharge of the functions of local government bodies in Wales that are Welsh improvement authorities for the purposes of Part 1 of the Local Government (Wales) Measure 2009;

(b) for improving economy, efficiency and effectiveness in the provision of services provided by other local government bodies in Wales;

(c) for improving the financial or other management of local government bodies in Wales.

3. This example could be used as a starting point example for a duty on the Auditor General to examine how organisations have embedded the sustainable development principle. Indeed, the Auditor General can², but is not required to, use this provision as it stands to study the economy, efficiency and effectiveness of local authorities' discharge of FG Bill duties. However as I explained to the Committee, studying the economy, efficiency and effectiveness of the discharge of duties is not the same thing as examining how public bodies have progressed in embedding the sustainable development principle. And, clearly, the section does not apply to NHS bodies or central government.
4. I consider therefore that an appropriate duty on the Auditor General in relation to FG Bill requirements of audited bodies should provide the following:
 - a. a specific requirement to examine and report on public bodies'³ application of the sustainable development principle (in clause 3), i.e. compliance with the requirements of clause 8 (setting and taking steps to meet well-being objectives in accordance with the sustainable development principle);

¹ Along with the duty to undertake certain types of study, it also provides a *power* to do other studies relating to the provision of services.

² While it is a duty, it does not require the Auditor General to make recommendations for improving economy, efficiency and effectiveness in relation to *all* the functions of authorities (or where WFG Bill duties take the form of services, services), and it therefore provides for discretion in relation to which functions or services the Auditor General makes recommendations. It is not, therefore, a duty to necessarily study the effectiveness of authorities' discharge of WFG Bill duties. Furthermore, it only applies to local government bodies.

³ In this context, "public bodies" means those bodies that have duties under Part 2 of the Bill—see clause 5 of the Bill.

- b. a requirement to meet (a) above at least as often as is necessary to complement the Future Generations Commissioner’s Future Generations report (at least one report each electoral cycle);
 - c. a requirement to lay (and therefore publish) reports. (As well as ensuring that the public and the Assembly can scrutinise public bodies’ arrangements, this would enable the findings to be shared with the Future Generations Commissioner.)
5. A draft provision might therefore look something like:

() Auditor General’s examinations of compliance with the sustainable development principle

(1) The Auditor General for Wales must undertake examinations of the compliance of each public body with the requirements of section 8 (Setting and meeting well-being objectives: sustainable development principle).

(2) The Auditor General for Wales must before the end of each reporting period lay before the National Assembly for Wales a report on the examinations undertaken under subsection (1).

(3) In this section “reporting period” has the same meaning as in section 21.

- 6. It would be appropriate to insert this clause after clause 8.
- 7. It should be noted that “public body” in these draft provisions means a body defined as such in clause 5 of the Bill.
- 8. The above draft duty would be sufficiently prescriptive to ensure that the Auditor General does examine all relevant public bodies in terms of their efforts to meet the key duty of the Bill (i.e. setting and pursuing well-being objectives in accordance with the sustainable development principle) at least as often as the FG Commissioner must make a Future Generations report. It would, however, also be sufficiently flexible as to allow the Auditor General to look at compliance in a proportionate way, and it would avoid a requirement for annual reporting, which would be unnecessarily onerous, unduly repetitive and expensive.
- 9. As the time-frame for reporting contained in the draft duty is set in terms of requiring a report *at least* often as the FG Commissioner must make a Future Generations report, but is not confined to that frequency, it provides flexibility by permitting more frequent examination and reporting if that proves desirable or necessary. That flexibility might be helpful, for example, in providing additional support for the FG Commissioner.
- 10. The draft duty is practical in that it would permit reasonable conclusions to be drawn on the basis of sample testing, rather than the Auditor General having to examine all steps taken by public bodies to comply with the Bill. It is also important to note that under the draft duty the Auditor General would not be required to conclude on the effectiveness of the steps taken by public bodies to meet well-being objectives, though it would be open to the

Auditor General to draw such conclusions where practical. A strict requirement to conclude on the effectiveness of steps taken is not desirable as it would not be practical to draw such conclusions in all cases—many objectives are likely to present significant methodological challenges, such as where reliable measures of change are not available.

11. A further benefit of the draft duty is that it provides a consistent basis for examining and reporting on whether all the public bodies covered by Part 2 of the Bill are setting and pursuing well-being objectives in accordance with the sustainable development principle. At present, neither the Bill nor other existing legislation provides this essential support for implementation.
12. Overall, this duty would provide the benefit of proportionate examination and reporting on whether public bodies are setting and pursuing well-being objectives in accordance with the sustainable development principle. Such reporting would identify, for example, where public bodies were failing to set objectives that did not take into account the importance of balancing short term needs with the need to safeguard the ability to meet long term needs. It would also identify where bodies were simply failing to take reasonable steps to meet the objectives. The requirement on the Auditor General to report on these matters would help ensure that public bodies genuinely take steps to pursue objectives in accordance with the sustainable development principle. In addition, the duty to report regularly would provide the Commissioner's Future Generations reports with robust and independent evidence to help drive the improvements public bodies should make.
13. As ever, it is hard to predict with certainty the costs of the duty. If public bodies follow sound processes for setting and pursuing well-being objectives, including keeping good records and maintaining reliable measures of progress, audit work will be more straightforward than if there are problems in compliance. As a broad indicator of the cost, we consider that the work to meet the duty would amount to a three substantial studies (one in each sector—local government, health and central government) every four years. Costs would fluctuate between years, with an average in the region of £100,000 to £120,000 a year. This would increase if we were to undertake more examinations and report more frequently than the minimum required by the draft duty.
14. In addition, we consider that an initial baseline study to examine in depth the initial efforts of public bodies to meet the duties of the Bill will be needed in the initial commencement period. It would be appropriate for this to examine issues wider than the duties of clause 8, and it would therefore in part be undertaken in combination with work done under existing powers and duties. The cost of such a baseline study, which we estimate would be in the region of £150,000 to £300,000, would therefore not be wholly attributable to the duty that we propose above. Subject to the views of PAC, it might be appropriate for such a study to displace some other work in the Auditor General's ordinary study programme and may, therefore, not be an additional cost overall.

15. To avoid duplicating cost and effort, examinations under the draft duty would draw on work done to consider (or “satisfy”) whether local government and NHS bodies have made proper arrangements for securing economy, efficiency and effectiveness, where such arrangements are relevant to the duties of public bodies under the Bill. At present, it is not possible to reliably estimate the cost of such work following the additional requirements of the Bill in its current form. This is because, for example, at present it is not at all clear whether local authority improvement objectives set under the Local Government (Wales) Measure 2009 will also serve as well-being objectives, or whether the two sets of objectives will apply in parallel.

41 Studies for improving economy etc in services

(1) The Auditor General for Wales must for each financial year undertake studies designed to enable him to make recommendations—

(a) for improving economy, efficiency and effectiveness in the discharge of the functions of local government bodies in Wales that are Welsh improvement authorities for the purposes of Part 1 of the Local Government (Wales) Measure 2009;

(b) for improving economy, efficiency and effectiveness in the provision of services provided by other local government bodies in Wales;

(c) for improving the financial or other management of local government bodies in Wales.

(2) The studies which the Auditor General for Wales is required to undertake under subsection (1) include in particular—

(a) studies designed to enable the Auditor General for Wales to determine what directions he should give under section 47;

(b) studies of information published in pursuance of section 47 which are designed to enable the Auditor General for Wales to determine, in relation to each financial year, what comparative information to publish himself about the standards of performance achieved by bodies which are relevant bodies for the purposes of that section.

(3) The Auditor General for Wales may undertake other studies relating to the provision of services by local government bodies in Wales.

(4) Where the Auditor General for Wales undertakes a study under this section, he must publish or otherwise make available—

(a) the results of the study, and

(b) any recommendations made by him.

(5) Before undertaking a study under this section, other than a study of a kind mentioned in paragraph (a) or (b) of subsection (2), the Auditor General for Wales must consult—

(a) any associations of local government bodies in Wales which appear to him to be concerned, and

(b) any associations of employees which appear to him to be appropriate.

(6) The Auditor General for Wales and the Welsh Ministers must co-operate with each other with respect to the exercise of their respective functions under this section and sections 94 and 95 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (reviews, investigations and studies by Assembly).

IN THE MATTER OF THE WELL-BEING OF FUTURE GENERATIONS (WALES) BILL

ADVICE

1. I am instructed to advise the Wales Audit Office (“WAO”) and Auditor General for Wales (“AGW”) in the following circumstances. WAO and AGW wish to share this advice with the National Assembly and have asked that it be kept brief. I am happy to expand on any issue should my instructing solicitors so wish.

The background in brief

2. The Welsh Government (“WG”) has introduced the Well-Being of Future Generations (Wales) Bill (“the Bill”) into the National Assembly. This declares (cl 2) that the aim of the public bodies listed in cl 5 is to improve the economic, social and environmental well-being of Wales in accordance with the sustainable development principle. That aim is called the common aim. The sustainable development principle is defined in cl 3.

3. By cl 6(1), each public body must pursue the common aim by seeking to achieve the well-being goals listed in the table under that clause. By cl 7, each public body must set objectives designed to maximise its contribution to the achievement of the well-being goals.

4. WG’s Explanatory Memorandum on the Bill provides (with particularly important text in bold):-

*“390. For local government bodies (local authorities, national park authorities and fire and rescue authorities) and health bodies (LHBs and two Health Trusts) - a total of 37 public bodies - **the AGW must, when carrying out the annual audit of accounts, satisfy him/herself “that the body has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources”.** This means that the AGW is under a duty to consider the effectiveness and efficiency of the use of resources for the majority of the bodies covered by the Bill in undertaking the FG Bill duties (amongst their other functions) – namely the setting of well-being objectives and taking all reasonable steps to achieve the objectives in a manner consistent with the sustainable development principle - **on an annual basis as an integral part of the audit of accounts.** Whilst the AGW has complete discretion as to the*

manner in which the functions of that office are exercised (as provided for by section 8 of the Public Audit (Wales) Act 2013), this has the potential to increase the costs of the annual audit of accounts for these bodies.”

5. WG believes that no new legislation is needed as AGW should undertake this role under:-

(a) section 145 of the Government of Wales Act 1998 (“GOWA 1998”), though section 145A may also be of relevance;

(b) section 17 of the Public Audit (Wales) Act 2004 (“PAWA”) in the case of local government bodies;

(c) section 61 of PAWA in the case of NHS bodies.

These provisions are set out in an appendix to this advice.

Question 1

6. I am asked, first, whether the Explanatory Memorandum is correct in saying:-

“... the AGW is under a duty to consider the effectiveness and efficiency of the use of resources for the majority of the bodies covered by the Bill in undertaking the FG Bill duties (amongst their other functions) ... on an annual basis as an integral part of the audit of accounts.”

7. My instructing solicitors’ letter of 26th August 2014 to Mr. Peters at WAO explains in detail why they believe that AGW has no such duty. Their reasoning is based on the view that there is a distinction between:-

(1) considering whether a public body has made “proper arrangements for securing economy, efficiency and effectiveness in its use of resources” (this being the wording of section 17(2)(d) and 61(3)(b) of PAWA), and

(2) considering the “effectiveness and efficiency of the use of resources”, which is the wording used in the Explanatory Memorandum. As I understand it, the Memorandum here proposes that AGW considers, amongst other matters, the success or otherwise with which the functions under the Bill are discharged as part of the annual audit.

8. I believe that my instructing solicitors are correct in drawing such a distinction. This is largely for the reasons which they set out in their letter of 26th August 2014 which include the following:-

- a) the duties refer to the test of whether arrangements are “proper” for a purpose, and not to whether that purpose has been achieved;
- b) the statutory wording requires AGW to be satisfied as to those arrangements, and not to opine, report, recommend or otherwise qualitatively assess the outcome of the arrangements;
- c) other matters to be examined under the relevant annual duties relate more to matters of financial compliance (and are likely to be undertaken by auditors skilled in that area) rather than more subjective analysis; and
- d) further legislative provision is made for more detailed examinations or studies.

9. I would add only the following comments.

10. First, I can see that an evaluation of whether a body had made “proper arrangements for securing economy, efficiency and effectiveness in its use of resources” could be partly based on evidence as to whether functions were in fact being discharged effectively. However, successful discharge of functions is not necessarily evidence of “proper arrangements” being in place. Service delivery might be very good, yet not delivered by economic, efficient and effective use of resources. This supports the view that the two processes referred to in paragraph 7 above are different.

11. Second, section 145 of GOWA 1998 provides:-

145 Examinations into use of resources

(1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which a body or office specified in Schedule 17 has used its resources in discharging its functions. ...

The use of the term “effectiveness” suggests that such an examination may involve AGW in reaching a view on the success or otherwise with which the functions under the Bill are discharged, albeit in the context of a value for money enquiry.

12. Section 145(1) does not impose a duty and therefore does not require AGW to carry out such an examination. Furthermore the power not linked to the annual audit. As my instructing solicitors have pointed out in their letter of 26th August, by section of the Public Audit (Wales) Act 2013 (set out in full in the appendix):-

(1) The Auditor General has complete discretion as to the manner in which the functions of that office are exercised and is not subject to the direction or control of the National Assembly or the Welsh Government.

this discretion being subject only to the conditions set out in sections 8(3), and the duty in section 145(3) of GOWA 1998 which I deal with in question 2 below..

13. Similar points fall to be made about AGW's powers to undertake studies under section 145A(1) and (2) of GOWA 1998. I do not repeat those points here. Section 145A is set out in the appendix to this advice.

14. Third, though it is not apparently relied on by WG, I should mention section 41 of PAWA, which provides:-

41 Studies for improving economy etc in services

(1) The Auditor General for Wales must for each financial year undertake . . . studies designed to enable him to make recommendations—

(a) for improving economy, efficiency and effectiveness in the discharge of the functions of local government bodies in Wales that are . . . Welsh improvement authorities for the purposes of Part 1 of the Local Government (Wales) Measure 2009;

(b) for improving economy, efficiency and effectiveness in the provision of services provided by other local government bodies in Wales;

This is a duty rather than a power. The use of the term “effectiveness” suggests that the study may involve a consideration of the success with which the functions are discharged, so that suitable recommendations may be made. But this is not linked to the annual audit i.e. is not part of AGW's duty to satisfy himself of the matters in section 17(2).

15. I also wonder whether studies under section 41(1) are intended to be about local government bodies as a group rather than about individual bodies. The cross reference, through section 41(2), to section 47 suggests that this may be the case, but it is not necessary to reach a view on this point.

16. Fourth, section 41(3) provides a power to “undertake . . . other studies relating to the provision of services by local government bodies in Wales” and I suppose this

could include an evaluation of the effectiveness of those bodies' discharge of their functions under the Bill. But this is a power and not a duty.

17. I deal with the duty to consult in section 41(5) at question 2 below.

Conclusion on question 1

18. Accordingly, essentially for the reasons given in my instructing solicitors' letter of 26th August 2014, I do not believe that AGW:-

"... is under a duty to consider the effectiveness and efficiency of the use of resources for the majority of the bodies covered by the Bill in undertaking the FG Bill duties (amongst their other functions) ... on an annual basis as an integral part of the audit of accounts"

Question 2

19. I am asked what the effect is of:-

(1) section 145(3) of GOWA 1998 in the event that the Public Accounts Committee ("PAC") expressed concerns about AGW's proposed exercise of the power under section 145(1) of GOWA 1998 to examine effectiveness in the use of resources in the way in which functions under the Bill were discharged, and

(2) section 41(5) of PAWA in the event that the consultees there referred to expressed concerns about AGW's proposed exercise of the duty under section 41(1) and the power under section 41(3) to do the same.

20. Section 145(3) of GOWA 1998 provides:-

(3) In determining how to exercise his functions under this section, the Auditor General for Wales shall take into account the views of the Audit Committee . . . as to the examinations which he should carry out under this section.

21. Section 145(3) provides that the PAC's views should be taken into account in AGW's determination of whether to undertake an examination under section 145(1) and/or of the content of such an examination. If the PAC objected to a proposal from AGW to exercise the section 145(1) power to examine effectiveness in the use of resources in the way in which functions under the Bill were discharged, AGW would

have to take that objection into account in deciding whether to exercise the power in that way.

22. Section 41(5) of PAWA provides:-

(5) Before undertaking . . . a study under this section, other than a study of a kind mentioned in paragraph (a) or (b) of subsection (2), the Auditor General for Wales must consult—

(a) any associations of local government bodies in Wales which appear to him to be concerned, and

(b) any associations of employees which appear to him to be appropriate.

23. If the consultees referred to in (a) or (b) expressed concerns about the AGW's proposed use of the section 41(1) duty or the section 41(3) power to examine effectiveness in the use of resources in the way in which functions under the Bill were discharged, AGW would have to take those views into account before determining whether to carry out such a proposal. It is inherent in the duty to consult that the consultee's views must be conscientiously taken into account: R v Brent London BC, ex parte Gunning 84 LGR 168.

Question 3

24. I am asked, next, whether, if there is policy intent that AGW should carry out reviews of effective discharge of functions under the Bill, explicit provision for this in the Bill would be the best way of putting the policy into effect.

25. If WG wishes to impose a duty on AGW to undertake certain functions, it must do so through legislation. The legislation might take different forms. It could be primary legislation or secondary legislation under an appropriate power. I see no reason why the imposition of the proposed duty should necessarily be effected through the Bill, as opposed to some other legislation, but I can see that it would make sense for this to happen.

Question 4

26. Last I am asked whether the Assembly would be competent to make such legislation. The Assembly's legislative competence is provided by section 108 of the Government of Wales Act 2006 ("GOWA 2006") which provides:-

108 Legislative competence

- (1) Subject to the provisions of this Part, an Act of the Assembly may make any provision that could be made by an Act of Parliament.*
- (2) An Act of the Assembly is not law so far as any provision of the Act is outside the Assembly's legislative competence.*
- (3) A provision of an Act of the Assembly is within the Assembly's legislative competence only if it falls within subsection (4) or (5).*
- (4) A provision of an Act of the Assembly falls within this subsection if—*
 - (a) it relates to one or more of the subjects listed under any of the headings in Part 1 of Schedule 7 and does not fall within any of the exceptions specified in that Part of that Schedule (whether or not under that heading or any of those headings), and*
 - (b) it neither applies otherwise than in relation to Wales nor confers, imposes, modifies or removes (or gives power to confer, impose, modify or remove) functions exercisable otherwise than in relation to Wales.*
- (5) A provision of an Act of the Assembly falls within this subsection if—*
 - (a) it provides for the enforcement of a provision (of that or any other Act of the Assembly) which falls within subsection (4) or a provision of an Assembly Measure or it is otherwise appropriate for making such a provision effective, or*
 - (b) it is otherwise incidental to, or consequential on, such a provision.*
- (6) But a provision which falls within subsection (4) or (5) is outside the Assembly's legislative competence if—*
 - (a) it breaches any of the restrictions in Part 2 of Schedule 7, having regard to any exception in Part 3 of that Schedule from those restrictions,*
 - (b) it extends otherwise than only to England and Wales, or*
 - (c) it is incompatible with the Convention rights or with [EU] law.*
- (7) For the purposes of this section the question whether a provision of an Act of the Assembly relates to one or more of the subjects listed in Part 1 of*

Schedule 7 (or falls within any of the exceptions specified in that Part of that Schedule) is to be determined by reference to the purpose of the provision, having regard (among other things) to its effect in all the circumstances.

27. Section 108(4)(a) refers to Schedule 7, which includes the following paragraph:-

Public administration

14 Public Services Ombudsman for Wales. Auditor General for Wales. Audit, examination, regulation and inspection of auditable public authorities. ...

28. Would the putative legislation “relate to” AGW and/or “Audit, examination, regulation and inspection of auditable public authorities. ...”? . In Martin v Most (2010) SLT 412 Lord Walker of Gestingthorpe JSC observed at paragraph 49 that:-

“ ... the expression “relates to” indicates “more than a loose or consequential connection”.

Martin was referred to at paragraph 50 of In re Agricultural Sector (Wales) Bill [2014] 1 WLR 2622, where the Supreme Court considered whether a scheme for regulating agricultural wages “related to” agriculture for the purposes of paragraph 1 of Schedule 7 to GOWA 2006.

29. Given this it seems to me that the legislation would “relate to” AGW and to “Audit, examination, regulation and inspection of auditable public authorities”. Hence it would fall within the scope of section 108(4)(a). Nor would it have effect outside Wales, so that section 108(4)(b) would also be satisfied.

30. Accordingly in my view the Assembly would have competence to enact legislation imposing a duty on AGW to consider the effectiveness of a body’s discharge of its functions under the Bill.

31. I hope that this advice is helpful, but should my instructing solicitors have any questions or comments, they should not hesitate to contact me.

11KBW

Peter Oldham QC

11 King’s Bench Walk, Temple, London EC4

APPENDIX – EXTRACTS FROM THE RELEVANT LEGISLATION

Public Audit (Wales) Act 2004

17 General duties on audit of accounts*(1) This section applies in relation to the audit of a body's accounts under this Chapter.*

(2) The Auditor General for Wales must, by examination of the accounts and otherwise, satisfy himself of these things—

(a) that the accounts are prepared in accordance with regulations under section 39;

(b) that they comply with the requirements of all other statutory provisions applicable to the accounts;

(c) that proper practices have been observed in the compilation of the accounts;

(d) that the body has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources;

(e) that the body, if required to publish information in pursuance of a direction under section 47 (performance information) has made such arrangements for collecting and recording the information and for publishing it as are required for the performance of its duties under that section.

41 Studies for improving economy etc in services

(1) The Auditor General for Wales must for each financial year undertake . . . studies designed to enable him to make recommendations—

(a) for improving economy, efficiency and effectiveness in the discharge of the functions of [local government bodies in Wales that are . . .] [. . . Welsh improvement authorities for the purposes of Part 1 of the [Local Government \(Wales\) Measure 2009](#)];

(b) for improving economy, efficiency and effectiveness in the provision of services provided by other local government bodies in Wales;

(c) for improving the financial or other management of local government bodies in Wales.

(2) *The studies which the Auditor General for Wales is required to undertake . . . under subsection (1) include in particular—*

(a) *studies designed to enable the Auditor General for Wales to determine what directions he should give under section 47;*

(b) *studies of information published in pursuance of section 47 which are designed to enable the Auditor General for Wales to determine, in relation to each financial year, what comparative information to publish himself about the standards of performance achieved by bodies which are relevant bodies for the purposes of that section.*

(3) *The Auditor General for Wales may undertake . . . other studies relating to the provision of services by local government bodies in Wales.*

(4) *Where the Auditor General for Wales undertakes . . . a study under this section, he must publish or otherwise make available—*

(a) *the results of the study, and*

(b) *any recommendations made by him.*

(5) *Before undertaking . . . a study under this section, other than a study of a kind mentioned in paragraph (a) or (b) of subsection (2), the Auditor General for Wales must consult—*

(a) *any associations of local government bodies in Wales which appear to him to be concerned, and*

(b) *any associations of employees which appear to him to be appropriate.*

(6) *The Auditor General for Wales and [the Welsh Ministers] must co-operate with each other with respect to the exercise of their respective functions under this section and [sections 94](#) and [95](#) of the Health and Social Care (Community Health and Standards) Act 2003 (c 43) (reviews, investigations and studies by Assembly).*

61 Audit of Welsh NHS bodies*(1) The accounts prepared by a Welsh NHS body under paragraph 3(1) of Schedule 9 to the National Health Service (Wales) Act 2006 for a financial year must be submitted by that body to the Auditor General for Wales no later than five months after the end of that year.*

(2) *The Auditor General for Wales must—*

- (a) examine and certify any accounts submitted to him under this section, and*
- (b) no later than four months after the accounts are submitted to him, lay before the National Assembly for Wales a copy of them as certified by him together with his report on them.*

(3) In examining any accounts submitted to him under this section, the Auditor General for Wales must, in particular, satisfy himself—

- (a) that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority which governs it, and*
- (b) that the body to which the accounts relate has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.*

Public Audit (Wales) Act 2013

8 How functions are to be exercised

(1) The Auditor General has complete discretion as to the manner in which the functions of that office are exercised and is not subject to the direction or control of the National Assembly or the Welsh Government.

(2) But this discretion is subject to subsection (3).

(3) The Auditor General must—

- (a) aim to carry out his or her functions efficiently and cost-effectively;*
- (b) have regard, as he or she considers appropriate, to the standards and principles that an expert professional provider of accounting or auditing services would be expected to follow;*
- (c) have regard to advice given to him or her by the WAO (see section 17(3)).*

Government of Wales Act 1998

145 Examinations into use of resources

(1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which a body or office specified in Schedule 17 has used its resources in discharging its functions.

(2) *Subsection (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of any body or office in respect of which an examination is carried out.*

(3) *In determining how to exercise his functions under this section, the Auditor General for Wales shall take into account the views of the Audit Committee . . . as to the examinations which he should carry out under this section.*

(4) *The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this section.*

(5) . . .

(6) *The Comptroller and Auditor General shall—*

(a) consult the Auditor General for Wales, and

(b) take into account any relevant work done or being done by the Auditor General for Wales,

before he carries out an examination under section 6 or 7 of the National Audit Act 1983 (economy etc examinations) in respect of a body or office specified in Schedule 17.

(7) *This section is without prejudice to the power conferred on the Auditor General for Wales by paragraph 18(3)(b) of Schedule 8 to the Government of Wales Act 2006 (agreement between a person and the Welsh Ministers etc to permit the Auditor General to carry out an examination into the discharge of functions by that person).*

145A Studies for improving economy etc in services

(1) *The Auditor General for Wales may undertake or promote studies designed to enable him to make recommendations for improving economy, efficiency and effectiveness in the discharge of the functions of any relevant body or bodies.*

(2) *The Auditor General for Wales may also undertake or promote other studies relating to the provision of services by any relevant body or bodies.*

(3) *Subsections (1) and (2) do not entitle the Auditor General for Wales to question the merits of the policy objectives of any relevant body.*

(4) *In determining how to exercise his functions under this section, the Auditor General for Wales shall take into account the views of the Audit Committee as to the studies which he should undertake or promote under this section.*

(5) *For the purposes of this section each of the following is a “relevant body”—*

(a) a person who prepares accounts or statements of accounts falling to be examined by the Auditor General for Wales in accordance with any provision made by or under this or any other Act;

(b) any other person (other than a local government body in Wales) in relation to whom, by virtue of provision made by or under this or any other Act, the Auditor General for Wales carries out examinations or studies relating to the economy, efficiency and effectiveness with which that person has used his resources in discharging his functions;

(c) a person (other than a registered social landlord in Wales) in respect of whom the Auditor General for Wales has functions by virtue of provision made under section 146A.

(6) *Where the Auditor General for Wales undertakes or promotes a study under this section he may arrange for a report containing—*

(a) the results of the study, and

(b) his recommendations (if any),

to be laid before the Assembly.

(7) *In this section—*

“local government body in Wales” has the meaning given in section 12(1) of the Public Audit (Wales) Act 2004; and

“registered social landlord in Wales” has the meaning given in section 146A(2).]

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Chair, Environment & Sustainability Committee
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Date: 14 October 2014
Our ref: HVT/2220/fgb
Page: 1 of 1

Arwydd Alun

**THE WELL-BEING OF FUTURE GENERATIONS (WALES) BILL:
CONSULTATION ON GENERAL PRINCIPLES**

Further to my letter of 9 October 2014, I have now had the views of the Public Accounts Committee regarding the proposal that I undertake an audit of the costing work underlying the Explanatory Memorandum in respect of the Well-Being of Future Generations (Wales) Bill. I have taken those views into account, and I can confirm that I will undertake a study under section 145A of the Government of Wales Act 1998 in order to meet your request for such an audit.

You asked when I believe this work could be conducted by. I consider that the earliest that I could provide a report of my findings would be 5 December 2014. This would be contingent upon, among other things, full co-operation of the Welsh Government in relation to the exercise of my access rights.

Huw Vaughan Thomas

**HUW VAUGHAN THOMAS
AUDITOR GENERAL FOR WALES**

cc *Mr Darren Millar AM
Ms Jocelyn Davies AM*


Agenda Item 7.4

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref:
Ein cyf/Our ref: LF CS 0993 14
Alun Ffred Jones
Chair
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 October 2014

Well-being of Future Generations (Wales) Bill

Thank you for your letter of 29 September 2014 regarding the Well-being of Future Generations (Wales) Bill. The attached Annex 1 provides the information that you have requested. I trust that this is helpful and responds to the Committee's specific questions.

I would also like to use this opportunity to provide clarification on some of the issues about the structure and purpose of the Bill that have been raised in scrutiny to date.

Earlier this year the Welsh Government published our vision (the Wales we Want by 2050) for a sustainable future for the well-being of Wales, setting out a commitment to the well-being of both current and future generations. This contained draft well-being goals, our input into the pilot national conversation being led by the independent Commissioner for Sustainable Futures. We recognise that Wales faces a number of complex challenges such as climate change, declining biodiversity, poverty and creating jobs. These are as much about global problems as they are about problems for Wales. I am committed to ensuring that this legislation provides us with the right framework for a positive contribution to tackling these global challenges.

We cannot, however, rely on the well-being goals alone to drive the change that is needed to make Wales a more sustainable nation. The statutory duties in section 7 and 8(1) are of equal importance and are intended to ensure that this change happens, with specified public bodies accountable for their contribution. I have attached a diagram at Annex 2 which provides a visual representation of the architecture within the Bill and how the various sections of the Bill fit together.

The common aim set out in Section 2 reinforces the need to focus on improving the social, economic and environmental well-being of Wales in accordance with the commonly agreed principle of Sustainable Development. The six well-being goals in Section 6 therefore define 'what' is to be achieved, and, in recognising that no one organisation can

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singlehandedly achieve all aspects of the well-being goals, duties are placed on public bodies in order to maximise the contribution that each public body can make to all the well-being goals. The sustainable development principle, through the five governance approaches in Section 8(2) sets out 'how' we want organisations to work differently in order to maximise their positive contribution towards achieving the shared well-being goals for Wales. These are considering the long term; taking an integrated approach; involving people; collaboration; and preventative action.

It is also important that we can measure Wales' progress. The well-being goals approach allows this through the setting of national indicators. Their purpose is not to measure the individual contribution made by the public bodies listed. They are firmly focused on Wales' performance however will be capable of being disaggregated at the local level. In support of this, the Commissioner is under a duty to take into account the annual well-being report published by the Welsh Ministers which details the progress made towards the achievement of the well-being goals by reference to the national indicators when preparing the periodic Future Generations Report. This ensures that there is a regular independent check and opportunity to discuss Wales' progress.

The key contribution that public bodies make to a sustainable Wales is recognised by this legislation. It is therefore of fundamental importance that the Bill ensures that taking a sustainable development approach is at the heart of how the specified public bodies operate. I wish to draw members' attention to *Governing for the Future – The opportunities for mainstreaming sustainable development*, a report published by the Sustainable Development Commission (SDC) in 2011. I believe that the Bill as drafted helps us realise many of the opportunities the Commission identified. The report rightly states that sustainable development is not an 'add-on'.

To mainstream sustainable development it should be embedded in - not attached to - the existing organisational structure of Government and the specified public bodies. The Bill achieves this. It recognises that the specified public bodies already have core objectives that guide the decisions they make, influencing and changing these objectives is the aim. The intention is that the listed bodies will meet the duties using their existing systems of corporate planning and annual reporting rather than creating a bureaucratic and tick box parallel system, and we will use guidance to reinforce this message.

During the process of developing this Bill I have been aware of the support from many stakeholders for the need for this legislation, because I believe we all share the same aim. This is encouraging. Along with the emerging success of the 'Wales we Want' exercise, this provides a firm foundation for not just the implementation of this Bill, but also how we can realise well-being for our people and communities, our economy and the environment, both now and for future generations.



Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

Annex 1

Defining SD in the Bill and the SD duty

The well-being goals

1. I will respond to your queries regarding the meaning of well-being, the well-being goals and the sustainable development principle together. All of these provisions, taken together, make up the governance framework established by the Bill, and are therefore dependent on each other for the successful embedding of sustainable development by the relevant bodies.
2. Section 2 establishes the aim of public bodies to improve the economic, social and environmental well-being of Wales. This secures in law the need for a balanced integration of the three internationally recognised dimensions of sustainable development, reflecting that contained in One Wales: One Planet (2009). This approach to 'well-being' reflects that in Section 60 of the Government of Wales Act 2006, in which the well-being of Wales is made up of three interlocking aspects, environmental, economic and social.
3. In order to provide the clarity needed, rather than provide for a stand-alone definition, the six well-being goals define the aspects of Wales' economic, social and environmental well-being of Wales. They collectively express a vision for the long-term economic, environmental and social well-being of Wales - in essence 'the Wales we want' - to provide a coherent framework to guide the achievement of well-being in Wales in a sustainable manner.
4. Improving the well-being of Wales is a joint responsibility and requires a joint effort. It would be unrealistic to expect any one organisation to singlehandedly achieve all aspects of the well-being of Wales as expressed in the well-being goals. The Bill recognises this by using terms such as "pursue" and "seeking to achieve", which will also foster a culture of continuous improvement. By requiring specified public bodies to set and meet their well-being objectives, the Bill recognises that each body can contribute to achieving the well-being goals. This contribution is likely to be of a different scale and focused on different areas depending on the nature of the specific public body, which is why the Bill gives public bodies discretion to set their own well-being objectives.
5. However, it is expected that specified public bodies, in setting their well-being objective set out the contribution that they can and will make to *all* of the well-being goals. They must be considered in an integrated way.
6. The sustainable development principle in section 3 provides clarity that the specified public bodies, in working towards the common aim and improving the well-being of Wales ensure that action taken to improve the well-being of people now doesn't impact the ability of future generations to meet their own needs. . The governance principles set out in section 8(2) (considering the long term; taking an integrated approach; involving people; collaboration; and preventative

action) provide further detail of the issues that these bodies must take into account when setting, and taking steps to meet their well-being objectives.

7. Therefore the elements of the governance framework can be seen as a clear focus on *what* the specified public bodies are seeking to deliver in support of the future well-being of Wales (the common aim and the well-being goals) and *how* they should be doing this (the sustainable development principle and the governance approaches in Section 8(2)).
8. In practice, a public body will demonstrate that it has taken into account the sustainable development governance approaches provided for at section 8(2) through the statement required under section 7(2).
9. The Social Services and Well-being (Wales) Act 2014 defines “well-being” at Section 2(2) of that Act in relation to a person. That is appropriate for that Act which deals specifically with Social Services and is rightly concerned with the well-being of individuals who may use or be otherwise affected by those services. This Bill has a much wider scope and is concerned with the well-being of the nation as whole, hence well-being in this context has the same meaning as in the Government of Wales Act 2006, and following internationally understood definitions of the term.

Specified Public Bodies

10. You have requested an explanation of why higher and further education institutions, registered social landlords, the Welsh Ambulance Trust (WAST) and community councils are not included in section 5. You have also asked in which circumstances the power to amend the public bodies to which the Bill applies would be used.
11. The 44 organisations subject to the Bill were identified following consideration of a set of criteria:

<i>Funding:</i>	the authority is over 50% public funded;
<i>Impact on Well-being:</i>	the authority undertakes functions or activities that impact on the economic, social and environmental well-being of Wales or their local area;
<i>Functions:</i>	the authority has strategic functions;
<i>Auditable:</i>	the authority is an ‘auditable public authority’ as defined in Schedule 7 of GOWA 2006.

12. Higher Education Institutions and Further Education Corporations were excluded because they are not directly funded by the public purse. Further Education Corporations, for example, operate in a market which includes other training providers.
13. Registered Social Landlords, in a similar manner, are not included because of the varied level of public sector funding they receive.

14. WAST were not included in the Bill as they were also not considered to meet these criteria, however I would be happy to reconsider this in light of the evidence that they have provided.
15. The Bill recognises the key role that community councils play in promoting and improving well-being, both in their own right and as partners of Public Services Boards.
16. Community Councils who have a gross income or expenditure of at least £200,000 for each of the last three years before the local well-being plan is produced are required to take steps to meet the well-being objectives included in the local well-being plan for their area. Requiring those community councils to do so is intended to ensure that they are more transparent and accountable in terms of the contribution they are making to the local well-being plans and the resulting improvement to the well-being of their local area. The decision not to apply all the duties in the Bill to Community Councils was a reflection of their size and their consequent ability to contribute to improving the well-being of Wales. It is also our intention not to apply disproportionate duties to relatively small bodies.
17. The organisations that will be subject to the provisions of the Bill are listed on the face of the Bill. The Welsh Ministers would only use their power to amend this list by regulations if a new public body (for example a new Welsh Government sponsored body) which met the policy criteria outlined above for inclusion in the Bill was created. The power could also be used to remove a specified public body from the list if it was abolished or its remit changed making it no longer able to contribute to the provisions of the Bill.
18. The Welsh Ministers are required to consult with the Future Generations Commissioner, the relevant body and other appropriate persons before making regulations which affords sufficient opportunity for comment. In addition, the approval of the Assembly is required to any changes which enables the Assembly to consider if the proposals are appropriate.

Well-being Goals

19. As I detailed above, the well-being goals provide a concrete expression of what the environmental, social and economic well-being of Wales means. Specified public bodies will set out how they intend to maximise their contribution to the achievement of the well-being goals, by setting, publishing and meeting their well-being objectives, thereby pursuing the common aim
20. The power to amend the well-being goals gives the necessary flexibility to take account of changing circumstances and respond to new challenges if and when they arise. However, I do not anticipate that the Welsh Ministers will need to use the power to amend the well-being goals on a regular basis. The Future Trends Reports, the Future Generations Reports and any recommendations published by the Commissioner will be drawn on to judge whether amendments to the well-being goals are required.

21. The Bill requires the Welsh Ministers to consult with the Commissioner and the other public bodies as well as other persons the Welsh Ministers think are appropriate, if they wish to change the well-being goals. As these are national well-being goals, I envisage this will be a wide ranging consultation across different sectors including Assembly Members, members of the public, business and the third sector, just as with the pilot national conversation which discussed a draft set of goals earlier this year. Any proposed changes to the well-being goals will require the approval of the National Assembly for Wales, just as it will be agreeing the well-being goals on the face of the Bill

Well-being objectives and the duty on public bodies

22. We have considered the statutory duties on the public bodies listed as they apply to their governance arrangements. We see no conflict with the duties set out in this Bill.

23. The Explanatory Memorandum (EM) sets out that the requirements of the Bill are to be incorporated into existing corporate governance and business planning processes. The Bill provides the duties necessary to embed sustainable development at the heart of the public service. Whilst the Bill requires certain duties it does not prescribe that these are exercised separately. The Bill allows an organisation to discharge these duties using existing mechanisms. Where an organisation determines its priorities through a corporate plan, we would expect organisations to use this to discharge their duty. Equally, we would expect them to meet their reporting duties through their existing annual reporting mechanisms. This will be clarified further in guidance.

Measuring performance

24. The purpose of the national indicators is to measure shared progress in achieving the well-being goals, nationally and in specific areas of Wales. The indicators will also be critical to the success of the role of the Commissioner and in particular her/his functions to engage and to prepare a Future Generations Report.

25. However, public bodies under the Bill will be required to report annually on the progress they are making in meeting their respective well-being objectives. These well-being objectives must be set in a way that maximises their contribution to achieving the well-being goals.

26. Public Services Boards will also be required to publish annual progress reports to set out their progress against the objectives they have set in their local well-being plans. The Welsh Ministers will have a power (separate from the duty to publish national indicators) to set indicators and standards by reference to which Public Services Boards' performance can be measured. Any indicators or standards set for Public Services Boards would be focused at measuring performance at the local level.

Enforcement

27. It is essential that the public bodies subject to the duties contained in the Bill are accountable for their compliance with those duties, and the progress they are making. It is the intention that they should demonstrate compliance, as far as possible, through frameworks already in place rather than establishing new and separate regimes which would not be in keeping with the mainstreaming intention of the Bill.

28. The Bill builds on and strengthens the accountability of sustainable development in Wales through a "toolkit" made up of the following elements;

(a) National Assembly for Wales

29. While it will be for the National Assembly for Wales to determine how they scrutinise the effectiveness of the Bill and the progress being made by specified public bodies, the Bill ensures the following evidence, which will support this work, must be laid before National Assembly for Wales:

- the national indicators (S.11(1)(b))
- the national indicators when revised (S.11(6)(b))
- Annual reports by the Welsh Ministers setting out their progress towards meeting their well-being objectives(S.13(1)(b))
- Future Generations report published by the Future Generations Commissioner for Wales (S.21(7))
- the Commissioner's Annual Report (Schedule 2, paragraph 16(8))

(b) Local Authority Scrutiny

30. Section 33 of the Bill requires each local authority to ensure its overview and scrutiny committee has the power to:

- Review or scrutinise the decisions made or actions taken by its public services board in the exercise of its functions;
- Review or scrutinise the board's governance arrangements;
- Make reports or recommendations to the board with respect to the board's functions or governance arrangements; and
- Consider such matters relating to the board as the Welsh Ministers may refer to it and report to the Welsh Ministers accordingly.

Please see the Public Services Boards heading below, in particular paragraphs 51 and 52 describing the central role of Local Government overview and scrutiny committees.

(c) Auditor General for Wales

31. Whilst the Future Generations Commissioner is responsible for monitoring and assessing the extent that the specified public bodies are meeting their well-being objectives, it is also important that the public bodies are accountable for their compliance with the duties contained within the Bill. It is intended that this will take the form of a review of the economy, efficiency and effectiveness of the arrangements made by each of the public bodies subject to the provisions of the

Bill to meet their respective well-being objectives in accordance with the sustainable development principle. It is the Welsh Government view that this review can be carried out by the Auditor General for Wales as part of the current audit framework which is consistent with the mainstreaming intention of the Bill.

(d) Future Generations Commissioner for Wales

32. Please see the paragraphs below which summarise the powers intended to be provided to the Future Generations Commissioner for Wales. In particular, the Bill provides the power for Commissioner to make recommendations. The Commissioner may require a public body to provide such information as she considers relevant to assist in making recommendations. The Bill places a duty on specified public bodies to either comply with the Commissioner's recommendation or publish an explanation as to why it considers there is good reason for not complying with the recommendation and/or taking an alternative course of action.

Future Generations Commissioner for Wales

Independence

33. The Commissioner will be able and expected to demonstrate independence when carrying out his/her functions. The Welsh Ministers will not have any influence over the Commissioner's functions. These include providing advice or assistance, making recommendations, preparing and publishing reports and the working relationship the Commissioner has with the Advisory Panel or any other party.
34. To date, no evidence has been provided from any stakeholders to show that the Welsh Ministers have prevented or discouraged a body or person similar to the Commissioner from carrying out their functions, for example in relation to existing statutory Commissioners
35. The appointment process will follow the Code of Practice for Ministerial Appointments to Public Bodies. The Code puts in place a well established, independent and respected process to manage the selection and appointment of candidates to public bodies. It is followed, in practice or in spirit, for the appointment of our other Commissioners as well as a number of roles across Wales and the rest of the United Kingdom. In discharging the Code, Ministers and their Departments must observe three basic principles of merit, fairness and openness. I am determined that this will be the case for the Commissioner's appointment; the appointment panel for the Commissioner will be chaired by an external assessor appointed and allocated by the Commissioner for Public Appointments. This provides safeguards of separating the role of the Welsh Ministers, as the appointer, from the process.
36. On the wider governance of the Commissioner, a number of the arrangements we have put in place are similar or the same as those of organisations such as Wales' public service Commissioners. I do not consider them to be controversial or problematic. The National Assembly for Wales will also be able to choose to

scrutinise the Commissioner, and the Bill requires the following documents to be laid before it.

- The Commissioner's Annual Report (Schedule 2, paragraph 16(8));
- The Commissioner's estimate of the income and expenses of the Commissioner and Commissioner's staff, for each financial year (Schedule 2, paragraph 17(3));
- The audit of accounts of the Commissioner, by the Auditor General for each financial year (Schedule 2, paragraph 18(2)(b));
- A report by the Auditor General for Wales of the examination into the economy, efficiency and effectiveness of the Commissioner, whenever this power is exercised (Schedule 2, paragraph 19(4)(b)).

Recommendations

37. I do not accept the argument that the Commissioner's power to make recommendations is too weak, on the basis that specified public bodies can avoid following them. The Bill places a duty on specified public bodies to either comply with the Commissioner's recommendation or publish an explanation as to why it considers there is good reason for not complying with the recommendation and/or taking an alternative course of action. These published explanations mean that specified public bodies cannot hide from difficult decisions presented to them by the Commissioner's recommendation. They must provide a justification if they disagree or decide to take an alternative approach.
38. It would not be proportionate for the Commissioner to be able to compel bodies to comply with his/her recommendations. In the case of Local Government and other elected bodies, it would undermine their democratic basis. Whilst the Commissioner will be an authority in providing advice to public bodies in the pursuit of their well-being objectives, there may be occasions when specified public bodies disagree with the recommendation, taking into account their circumstances and the views of their stakeholders. However, by compelling bodies to provide an explanation as to why they have not complied with the recommendations and/or are pursuing an alternative course of action, provides for further scrutiny, for example by the Assembly.

Providing advice and assistance on climate change

39. Climate change represents one of the most significant challenges to the well-being of future generations of our time. A Future Generations Commissioner could not therefore undertake the role without taking climate change into account. At the moment the Climate Change Commission for Wales (CCCW) is non-statutory. The provision in the Bill that the Future Generations Commissioner may provide advice or assistance (which includes providing advice to the Welsh Ministers on climate change) will build on the work currently being undertaken by the Climate Change Commission and put such advice on a statutory footing.
40. The Future Generations Commissioner will need however to decide on the best model of delivery regarding this function. In preparation, there is a need to look at the benefits and gaps within the current structures as discussed by the Climate

Change Commission for Wales at their meeting in September; the current Chair of the Climate Change Commission is taking this forward.

41. The aim is that the Future Generations Commissioner will not only be able to provide advice to the Welsh Government but also to any public body in Wales.

Circumstances for issuing guidance to other public bodies on responding to a recommendation and how the Bill ensures an appropriate response from Welsh Ministers to a recommendation

42. To ensure that there is consistency in how those public bodies respond to recommendations from the Commissioner I intend to produce guidance. This will be subject to consultation in due course.

43. The Policy Intent Statement which accompanied the Bill on introduction outlined that the guidance is likely to cover:

- Why a response is needed and how it will support the work of the Commissioner and the wider aims of the Bill;
- Who must respond to the Commissioner's recommendation, including any approval arrangements;
- The way that any response should be conveyed to the Commissioner;
- When a response should be issued to the Commissioner;
- The type of information that should be contained within that response; and
- What are the consequences if public bodies do not respond or the response provided is considered unsatisfactory?

44. I do not intend to create separate arrangements for the Welsh Ministers when responding to recommendations in respect of their well-being objectives compared to other specified public bodies. A distinction will only relate to where recommendations are made against the well-being goals or national indicators. This is likely to be necessary because the process involved in potentially changing them involves consultation with stakeholders, in the case of the national indicators and an Assembly plenary debate for the well-being goals.

Joint working – why a power and not a duty?

45. As with any fruitful collaboration, a process of agreement should be reached through discussion rather than compulsion. Our intention is that this will happen where there is a clear opportunity to work jointly. This could be when the Commissioner provides advice and assistance on issues relevant to reviews or inquiries carried out by the Commissioners for Children, Older People and the Welsh language. However, there may be circumstances, such as if the timing of the Commissioner's advice is not compatible, or if there are disagreements over the evidence, that joint working might not be appropriate. Some discretion should be available to allow the Commissioners to work separately from each other and provision has been made as a consequence. This kind of provision is similar to those found in the legislation establishing the Commissioners for Children, Older People and the Welsh Language.

The Commissioner's Advisory Panel

46. The current members of the Advisory Panel represent a range of interests that we expect will provide value in advising the Commissioner in the exercise of his/her functions. However, there are other areas of interest such as transport, business, arts and culture or education where the Commissioner may benefit from expert advice. Though I am sure there are suitable candidates who can fill these roles, I doubt there is a single person or figurehead that has universal support. Over time as well it may be decided that the balance of expertise and knowledge is not sufficient to enable the Commissioner to pursue their work programme or particular projects or activities. In these circumstances I would foresee the need to appoint additional members to the Panel.
47. As with the Commissioner's appointment I would want the appointments arrangements for the Advisory Panel to apply the same principles of openness, fairness and merit that come with the Code of Practice for Ministerial Appointments to Public Bodies. As the Advisory Panel will be working very closely with the Commissioner I want to add Ministerial oversight to the process so that any appointment is seen as objective and separate from their working relationship. However, I intend that the Commissioner will nonetheless be involved in any appointment exercise and I hope will add value to the process.

Public Services Boards

Natural Resources Wales

48. Requiring Natural Resources Wales ("NRW") to be a statutory member of the Public Services Boards (PSBs) - as the appropriate public body responsible for environmental issues - will strengthen the environmental evidence base for local well-being plans and ensure that environmental objectives are integrated with social and economic objectives.
49. The evidence provided to the committee on 25th September by representatives from Natural Resources Wales (NRW) is noted, and in responding to this concern I would suggest that resourcing demands will level off as these policies and working arrangements are established. We would expect a higher level of demand on resources at the beginning on the assessment and development of the plan, reducing from that level after that.

Local Service Boards mergers

50. Mergers have already taken place in some areas - for example Anglesey and Gwynedd and Conwy and Denbighshire - so there are already fewer Local Service Boards than existing local authorities. Furthermore, future resource will need to be considered in light of the local government reform agenda. This will help NRW with regard to their distribution of resources at the outset and establishing working practices.

Assessments of local well-being

51. Regarding the Committee's query that all assessments and reviews in Section 36(3) are socially focussed, section 35 (3)(b) of the Bill provides that an assessment of local need must include an analysis of the state of economic, social and environmental well-being in each community and in the area as a whole. It must provide a clear picture of the current and likely future condition of the well-being of the people and communities in its area. This means each PSB must assess its area's economic, social and environmental well-being in the round and its assessment cannot be confined to an analysis of issues covered by the assessments listed in section 36(3).
52. The list of assessments referred to in Section 36 is a list of existing statutory assessments which can be broadly characterised as "social" but, as is clear from section 35 of the Bill, the list in section 36(3) is far from exhaustive of the matters an assessment of well-being under section 35 must include. Section 36(3) (h) enables the Welsh Ministers, if appropriate to add to the list of assessments in section 36(3) if relevant new assessments are enacted, whether they relate to economic, social or environmental matters.

Power under section 31 to amend membership

53. On the detail of the circumstances where Welsh Ministers would exercise their power under section 31 to amend membership, only bodies or persons with public functions can be members, invited participants or other partners of a PSB. Examples of the circumstances where the Welsh Ministers would exercise the power under sections 31 would be if there was a change in name, or status (a modification of their remit, perhaps), or merger of the bodies listed.

Powers of Welsh Ministers to prescribe PSB roles, processes and outcomes

54. Local integrated planning will only be effective if the members of the Public Services Board take responsibility themselves for securing improvement, with local democratic processes providing appropriate challenge and support. For this reason, the Bill gives the Welsh Ministers relatively few powers and relies predominantly on the role of local government scrutiny and local democratic processes to secure continuous improvement.
55. The PSB has a vital role in bringing local public services organisations together. The Bill puts in place more effective governance arrangements and places local well-being planning within the wider framework of national well-being goals. The PSB prepares and agrees the local well-being plan, leads on engagement with the area's people and communities and sets out who needs to take which actions and by when. The Bill does not give the Welsh Ministers powers to prescribe the content of the PSBs' assessments of well-being or local well-being plans.
56. Local democratic process are at the heart of Part 4 of the Bill because it provides each PSB is held to account and monitored for the effectiveness of its well-being plan and its governance arrangements by a designated Local Government democratic overview and scrutiny committee. Although the Bill gives the Welsh Ministers a power to direct a PSB to review its local well-being plan, the Bill does not give them the power to set aside or overturn a local well-being plan. It should

also be noted that a local authority's decision to approve the local well-being plan is reserved to the authority itself, not its executive, so the decision is subject to local democratic processes.

57. I believe there is a good balance in the Bill between preserving the autonomy of each PSB to make its own decisions, and mechanisms to enable Welsh Ministers to raise concerns over PSBs plans, if necessary, to ensure robust delivery and performance.

The Regulatory Impact Assessment and Financial Provisions

58. In your letter you asked me to respond to the specific concerns raised by both the Auditor General for Wales (AGW) and the Chair of the Wales Audit Office (WAO) regarding the accuracy of the estimates and the approach taken to preparing cost estimates presented in the Regulatory Impact Assessment, as opposed to the extent of the likely costs themselves.

59. The concerns of the Chair of the WAO relate to the estimated on-going annual cost of audit review work of £130,000. The AGW has also made reference to this concern. The Regulatory Impact Assessment uses the figures that had already placed in the public domain, with appropriate caveats. When the Wales Audit Office officials shared further indicative costs in March 2014, Welsh Government officials understood that these figures should not be published and were shared confidentially, particularly as they were caveated as "not to be relied upon for formal regulatory impact assessment purposes".

60. I welcome the AGW's view that it is appropriate for the RIA to attempt to estimate the administrative costs associated with the Bill. The concerns raised by the AGW in paragraph 28 of their response to the Environment and Sustainability committee relate to:

- Allowances made for changing from existing corporate objective setting and reporting processes to new processes, taking into account the reporting requirements of the Local Government (Wales) Measure (2009), [28 (a) in the AGW's response]
- Using gross salary costs and not adding "unavoidable" on-costs, [28 (b) in the AGW's response]
- Local Authority salaries being underestimated [28 (c) in the AGW's response]
- The extent of work required to participate in a Local Service Board. [28 (d) in the AGW's response]

61. It is important to emphasise that the Bill will impact on the way that specified public bodies set their well-being objectives, and the nature of those well-being objectives. It will impact also on how they go about achieving those well-being objectives and how they allocate their resources. In this way, the Bill will influence the way in which an organisation as a whole works. Most importantly, the

sustainable development principle will not be an “add-on” but will be fundamental to what organisations aim to achieve and the way in which they operate.

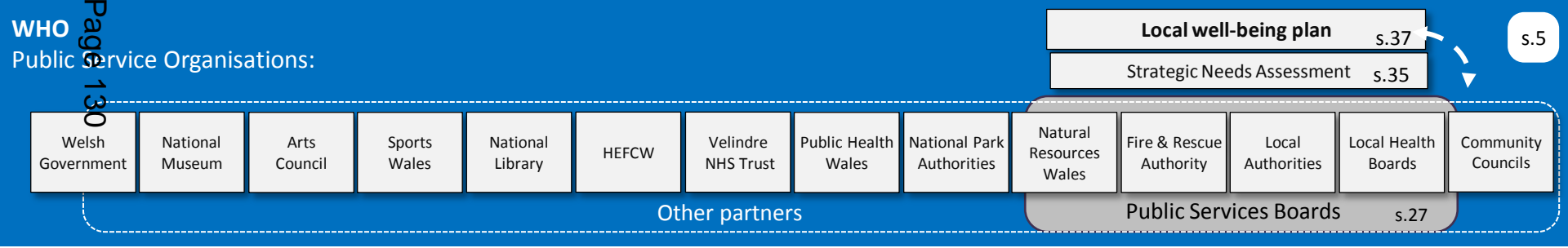
62. All the organisations captured by the provisions of the Bill already have the mechanisms in place to meet the duties in the Bill, including publishing their corporate objectives and reporting annually on their actions. Therefore, there are no additional costs anticipated as a result of the legislation.
63. In relation to the specific point about the Local Government (Wales) Measure 2009, the Committee will be aware from the Local Government White Paper that the Welsh Government intend to review the Measure to see whether there is scope for it to be changed so as more effectively to support service improvement. I note that the evidence from the WAO suggests that reforming that Measure could probably reduce local government review costs.
64. In relation to the points raised in 28(b) and 28(c), I am grateful for the useful feedback and scrutiny provided on the estimates and will ask my officials to consider these points when revising the Explanatory Memorandum after Stage 2 proceedings. I would note, however, that at the thrust of the Regulatory Impact Assessment will remain unaltered. As is set out above, the organisations captured by the provisions of the Bill already have the mechanisms in place to meet the duties in the Bill.
65. In relation to the final point, currently, LSBs meet on average 6 times a year for 2 hours. It is anticipated that additional costs associated with the Bill would be minimal since it maintains the current arrangements for Local Service Boards and the delivery of the needs assessments and single integrated plans.
66. However, it is understood that LSBs may meet more frequently during the 5-yearly plan preparation process and less frequently at other times. The Bill doesn't specify frequency, length and time for meetings, this would be locally determined by the members in assessing the input needed to progress the work.
67. I am happy to discuss this further with the AGW should there be a feeling that this estimate needs revision.

Power to make consequential etc. provision

68. The power to make consequential provision contained in section 52 of the Bill is a very common legislative provision and good drafting practice to include within the Bill. This power cannot be used widely and is limited in subsection (1) to provision “for the purposes of, or in connection with, giving full effect to a provision of this Act”. That is an important limitation in that there must be that close connection with the provisions of the Bill itself (which the Assembly will already have scrutinised and if the Bill is made law, approved). Nothing can be done under this power that is substantive and contrary to the provisions of the Bill.
69. I am confident that we have captured the necessary consequential amendments within Schedule 4 to the Bill. However, as this is an area where planning and

reporting requirements are being imposed and amended by other legislation frequently, this is a sensible provision to cover relevant changes that may occur between the Bill passing and it coming into force or subsequent to that. For example, other planning duties might be imposed on PSB members so it may be appropriate to make supplemental provision to cope with that; or there could be changes to the constitution of public bodies affected by the Bill (even simple name changes). It is sensible to have a power to be able to deal with these unforeseen things rather than rely on subsequent legislation picking them up.

Well-being of Future Generations (Wales) Bill [Architecture]



Pack Page 130

Bil Llesiant Cenedlaethau'r Dyfodol (Cymru) [Strwythur]

NODAU
Cymru gynaliadwy

Cymru lewyrchus

Cymru gydnherth

Cymru iachach

Cymru sy'n fwy cyfartal

Cymru o gymunedau cydlynus

Cymru â diwylliant bywiog lle mae'r Gymraeg yn ffynnu

a.6

CYNNYDD
Dangosyddion Cenedlaethol



a.11

Cyfraniad mwyaf posibl i gyflawni'r nodau

a.7

PWY
Sefydliadau Gwasanaethau Cyhoeddus:

Cynllun Llesiant Lleol a.37

Asesiad Anghenion Strategol a.37

Byrddau Gwasanaethau Cyhoeddus a.27

Llywodraeth Cymru

Amgueddfa Cymru

Cyngor y Celfyddydau

Chwaraeon Cymru

Llyfrgell Genedlaethol

CCAUC

Ymddiriedolaeth GIG Felindre

Iechyd Cyhoeddus Cymru

Awdurdodau Parciau Cenedlaethol

Cyfoeth Naturiol Cymru

Awdurdod Tân ac Achub

Awdurdodau Lleol

Byrddau Iechyd Lleol

Cynghorau Cymuned

a.5

SUT
Datblygu Cynaliadwy

Hirdymor

Integreiddio



Cydweithio

Cynnwys

Atal

a.8

ADRODDIADAU
Tryloywder



Cynnydd

Blynyddol

a.13

a.14

CEFNOGI'R NEWID
Comisiynydd Cenedlaethau'r Dyfodol Cymru

Hirdymor

Cyngor

Argymhellion

Monitro

Adroddiad Cenedlaethau'r Dyfodol

Panel Cyngori

Rhan 3

Agenda Item 7.5


Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: SF/CS/3309/14

Chair
Environment and Sustainability Committee

 October 2014

Dear Alun Ffred,

Actions points arising from the scrutiny session of 17 September 2014

Further to the email from the Committee Clerk on 30 September, I am delighted to provide a response to the action points raised during my appearance before the Committee last month.

During the scrutiny session I agreed to provide further information on issues regarding biodiversity, shale gas/fracking, the Ynni'r Fro programme, Natural Resources Wales Crown exemption and the Water Strategy. The specific actions raised by the Committee, together with my responses, are available in Annex 1.

I trust that I have addressed the Committee's queries in full and I look forward to working closely with you in the future.

Yours sincerely

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

**Actions points arising from the Environment and Sustainability Committee Scrutiny
Session of 17 September 2014**

1. *Write to the Committee to provide a comprehensive note on the biodiversity policy agenda.*

The Wales Biodiversity Strategy Board (WGSB), comprising representatives from Welsh Government, Natural Resources Wales (NRW), Farming Unions, environmental Non Governmental Organisations (NGOs), which include RSPB and the Wildlife Trusts, the Welsh Local Government Association, and marine and forestry sectors, has been working together over the last year to produce the consultation on the Nature Recovery Plan which was launched in September. I intend to publish the final version of the plan in 2015.

The Nature Recovery Plan is set within the overall context of Natural Resource Management. This approach follows the long term policy direction which received wide support through the earlier Green and White Paper consultations.

The ambition of the Nature Recovery Plan is 'to reverse the decline in biodiversity and ensure lasting benefits to society by building the resilience of our ecosystems, by focusing on effective natural resource management'.

Natural Resource Management as set out in the Environment Bill White Paper is a more joined-up approach to the planning and management of natural resources, to improve the resilience of our natural resources and the services they provide.

Taking a sustainable approach to the management of our natural resources recognises the dependence of our society and our economy on our natural resources and vice versa. This is as key to enhancing biodiversity as it is to supporting green growth.

The Environment (Wales) Bill will provide the legislative framework to manage our natural resources in a joined up way and provide NRW with new powers to enable them to lead this work.

NRW is already developing the practical and operational arrangements to help meet its purpose of ensuring that our environment and natural resources are sustainably maintained, enhanced and used. The Environment Bill will introduce a requirement for NRW to publish a State of Natural Resources Report and Area Statements, which will guide the way in which we manage our natural resources to deliver long-term economic, social and environmental benefit for Wales.

I anticipate that the targets and actions for biodiversity within the Nature Recovery Plan will focus on strengthening our knowledge base, prioritising needs and increasing engagement. This will support the development of the National Natural Resource Policy and Area Statements.

The Environment Bill will set out a requirement for Welsh Ministers to produce a National Natural Resource Policy. This will set out the key priorities and the way in which the individual policies, such as Water and Biodiversity, work together to improve our environment, tackle key challenges and deliver social and economic benefit.

2. Consider publishing the report of the audit undertaken into biodiversity actions carried out by Government departments.

Following the inquiry into biodiversity in Wales by the then Sustainability Committee in 2011, a biodiversity audit was carried out within Welsh Government. Each department described its contribution in support of the Government's aspiration to halt biodiversity loss, and where this could be strengthened. I am content to publish the contents of this report.

The audit showed that biodiversity action was being taken throughout Welsh Government and that consideration of biodiversity had penetrated effectively where Government Departments were undertaking activities that had a direct impact on biodiversity. However, there is more work to do, for example, with regard to the management of our own estate and the continued integration of biodiversity into policy development, as set out in the proposed actions of the Nature Recovery Plan.

The Nature Recovery Plan will continue to put an emphasis on integrating biodiversity throughout our policies and strategies, and the Natural Resource Management programme has already started this process. An evaluation of the biodiversity action needed will be undertaken under the Nature Recovery Plan.

3. Consider providing the Committee with the key performance indicators/baseline data that will be used to measure the outcomes of the Nature Recovery Plan.

The key performance indicators and baseline data will be developed as part of the final version of the Nature Recovery Plan. I am currently considering the applications received under the Nature Fund and will write to the Committee with more details shortly.

- 4. Write to the Committee with further information on the points raised by Committee members regarding shale gas/fracking.**
- 5. Consider making an updated statement on the Government's position on shale gas/fracking.**
- 6. Provide the Committee with the flowchart used by Government relating to the planning processes surrounding fracking.**

The actions recorded under points 4 to 6 are covered within the following update on unconventional gas.

Energy Wales: A Low Carbon Transition describes the commitment of Welsh Government to act now for Wales' long term energy future and to position Wales at the forefront of key innovation, research and development in the areas of greatest potential.

Welsh Government is committed to move to a low carbon energy system but recognises this will take time. We also recognise the importance of indigenous energy supplies which help ensure energy security and affordability.

Energy Wales recognises the important role of gas as we move to a low carbon energy system as it has a lower climate change impact than other fossil fuels. Gas from shale is essentially methane - the same as gas from conventional sources including the North Sea. The primary difference is the method of extraction.

Interest in shale gas in the UK has primarily been centred in areas of England where significant subsurface geological data exists from conventional oil and gas exploration. Little historic oil and gas exploration has been undertaken in Wales and we are therefore in the very early stages of understanding the potential shale gas resource that might exist.

It is sensible therefore to seek to determine whether the shale plays of Wales hold commercially recoverable quantities of gas; if it can be proven to be extracted safely and with minimum environmental impact; and can contribute to the future energy mix and benefit the people of Wales. In doing so, we must also ensure the appropriate safeguards are in place to protect the environment and people of Wales.

Operators holding licences issued by the Department of Energy and Climate Change (DECC) are able to explore for and produce petroleum in defined licence areas. It is important to note that a licence is conditional and on its own does not allow an operator to undertake any activity until all the necessary permits and consents are in place. I attach a flowchart of the processes required for clarification.

The permissions and consents include access agreement with the landowner and planning permission from the appropriate Local Planning Authority. Minerals Planning Policy Wales (MPPW) provides guidance to local authorities in Wales on the issues for consideration when determining planning applications for minerals development including shale gas. MPPW provides guidance to ensure that mineral development does not adversely impact on the environment and nearby communities and includes issues relating to visual intrusion and noise, traffic and protecting sensitive areas. On 8 July a clarification letter was issued to Chief Planning Officers in Wales clarifying the national planning policies that apply to shale gas and oil development in Wales.

Prior to any activity an operator would also require all the necessary permits and authorisations from NRW. NRW is also a statutory consultee in the planning process. As part of the permitting process NRW would consider issues including water abstraction and discharge, groundwater, mining waste, radioactive substances and industrial emissions.

The Health and Safety Executive (HSE) would also have to be notified and be satisfied about the well design and the operator must arrange for an independent examination of the well design by a competent well examiner.

If a well encroached on coal seams, permission must be sought from the Coal Authority. The British Geological Survey must also be notified by an operator of intent to drill. DECC will only give consent to drill when all the above requirements are in place.

At the current stage of exploration in Wales, we consider the existing controls within the planning, environmental regulation and licencing regimes, when taken together, can ensure appropriate control of any shale gas development in Wales. As a responsible Government we will, however, continue to review all the available evidence as it emerges.

We are considering our position on seeking devolution of licensing for oil and gas. It is not being sought as part of our current pursuit for full devolution of energy consenting powers excluding nuclear. It is our firm position that any shale gas development in Wales must be considered by the appropriate local planning authority in Wales and the respective regulatory bodies of Wales in line with the guidance in place in Wales at that time.

7. Write to the Committee with an update on the Ynni'r Fro programme, where figures are available.

Ynni'r Fro is the Welsh Government's scheme supporting community groups to develop renewable energy schemes. In total to date Ynni'r Fro has received 209 expressions of interest in receiving support. 99 of these inquiries led to projects that received assistance, and currently there are 56 schemes receiving in depth support, as they have been proven to be projects that are very likely to deliver robust and cost effective community renewable energy installations.

To date Ynni'r Fro support has resulted in the generation of 24 kW of electricity. By the end of the programme at least 5 projects will be constructed and generating a total of 5 MW of installed capacity. The full pipeline of 56 projects is conservatively estimated to produce a total of 11.5 MW of installed capacity.

From its start in 2010 up to the end of June 2014, the Ynni'r Fro programme has cost £2,426,121, which is a combination of European Regional Development Funds of £1,756,758 and Welsh Government investment of £669,363. Our economic analysis shows that Ynni'r Fro will deliver net benefits of at least £11.8 million, with benefits of £1.36 for every £1 spent. The estimated income from Feed in Tariffs from the pipeline of schemes is at least £50 million, with another £11.5 million from the sale of the electricity, over the installed lifetime of the projects.

There are a range of additional benefits that are demonstrated through qualitative evaluation. These include:

- Building skills and experience in the development, installation, maintenance and management of renewable energy technology, expanding the SME base in Wales and increasing the skills base for local tradespeople. There is evidence particularly that the economic and skills benefits from hydropower schemes are experienced locally to the installation;
- Building a replicable business model that can be emulated by other communities, ensuring viability of projects well beyond the end of Ynni'r Fro's involvement and encouraging adoption of other micro-generation and the use of renewables;
- Building confidence in communities in taking an entrepreneurial approach to addressing local priorities, and developing the commercial and business skills. We have particularly seen this demonstrated through the increase in community share offer schemes, which are raising significant funding and connecting community projects with a much wider and more varied audience;
- An increase in overall energy supply and the development of new sources of clean energy;
- Reduction in reliance on imported energy, and increased independence from commercial energy suppliers;
- New or existing community led activities being funded by income from renewable energy projects, including the development of local "evergreen" loan funds capable of supporting community schemes beyond the life of the project;

- Providing ongoing advice and support to communities help mitigate the effects of fuel poverty and climate change, through the requirement of this as a condition of a grant to social enterprises. There is already strong evidence that this “peer mentoring” is gaining momentum as a result of the support already sponsored through Ynni'r Fro.
- Increasing community awareness and actions as a result of understanding how our behaviour can help reduce emissions and climate change effects through a clear link of the project demonstrated between renewable energy and energy efficiency.

8. Write to the Committee to provide clarification on Crown exemption relating to Natural Resources Wales.

The Natural Resources Body for Wales (Establishment) Order 2012 states that NRW is not a Crown Body and therefore does not have Crown immunity. The Welsh Government Woodland Estate is classed as Crown land - as legal title to the land remains with a Crown Body, namely the Welsh Government.

Section 33 of the Forestry Act 1967 provides that the statutory requirement to obtain a felling licence does not apply to Crown land. The exemption to the general requirement for a felling licence therefore attaches to the land upon which the timber is growing rather than the party putting forward the proposal. For instance, if the land is classed as Crown land, the timber is exempt. If NRW were to fell trees on land owned by them (i.e. land that is not part of the Welsh Government Woodland Estate) the exemption would not apply and they would be required to obtain a felling licence.

NRW has assured me that they manage the Welsh Government Woodland Estate to the same principles and standards as any other woodland owner. They also operate to a full suite of well established policy, procedures and protocols including appropriate levels of management, supervision, monitoring and review.

9. Write to the Committee detailing the date the Water Strategy will be published, and to provide a note on the progress of the five recommendations in the Wales Coastal Flooding Review which were accepted in principle.

The Water Strategy for Wales will be published at the end of January 2015.

The Wales Coastal Flooding Review report on coastal flooding accepted 42 recommendations outright and 5 in principle:

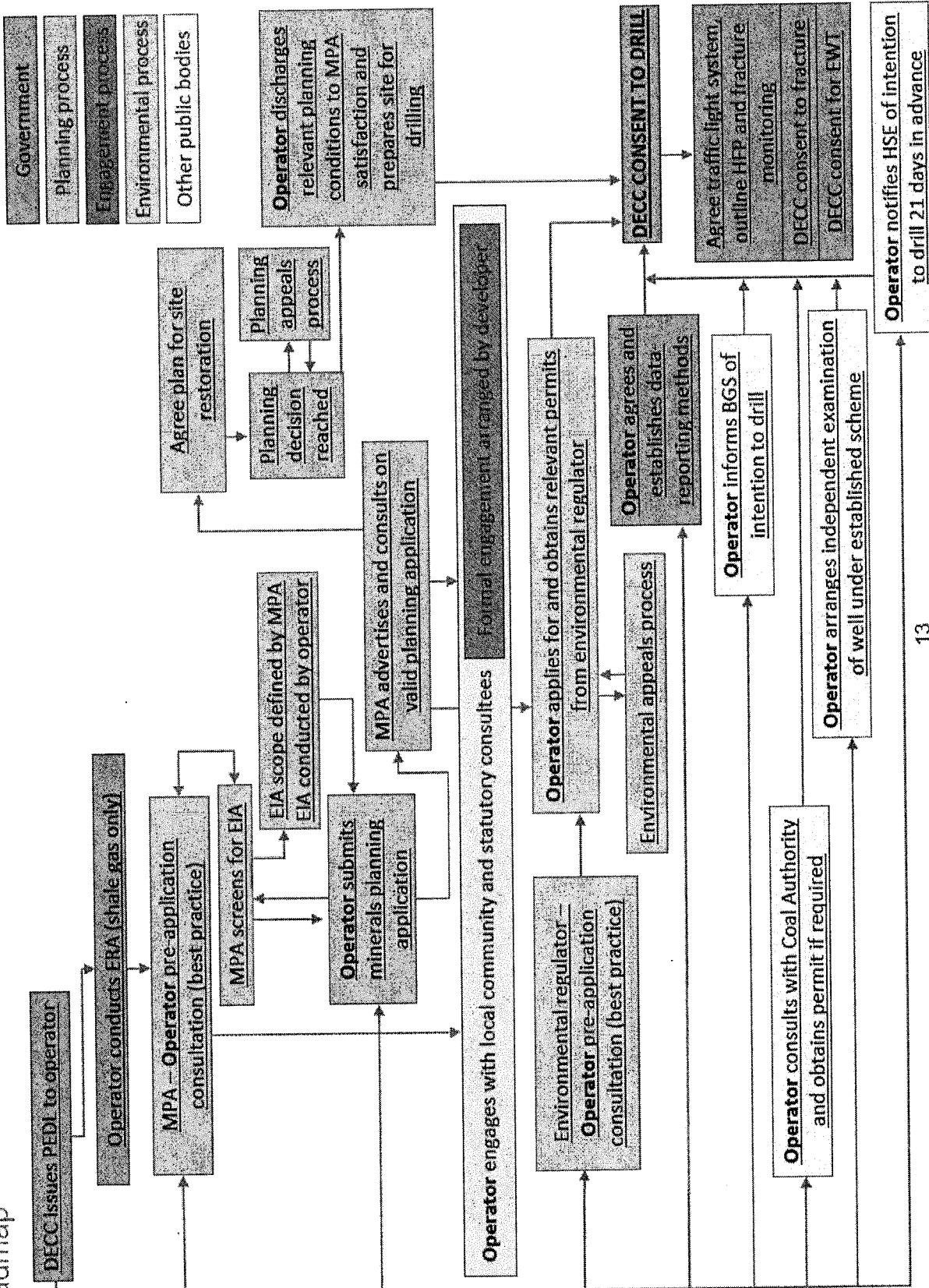
1. Recommendation #41 on endorsing the second phase Shoreline Management Plans: the plans are currently being reviewed by policy and legal officials. The plans are complex documents and cannot be endorsed without the appropriate scrutiny. The first of four plans was accepted by the Minister for Natural Resources in October 2014. NRW and the relevant coastal groups are being notified.
2. Recommendation #42 on climate change guidance, particularly on reviewing planning policy: two letters have been issued this year clarifying the position set out in TAN15 and Planning Policy Wales. Further evidence would be required by planning policy as to why change is needed before a review of TAN15 can be justified.

3. Recommendation #45 on encouraging programmes to increase infrastructure and utility assets: whilst it is accepted that this is an important consideration, it is infrastructure operators who remain best placed to determine the appropriate interventions and adaptation programmes.
4. Recommendation #46 regarding the impacts of climate change on rail and road infrastructure: this action is for the relevant highways authority or Network Rail to consider.
5. Recommendation #47 on the need to periodically assess infrastructure and utility resilience: this is subject to agreement on recommendations #43 to #46. Infrastructure operators already review the resilience of their assets.

The response to the coastal flooding has been praised by Risk Management Authorities and the manner in which Welsh Government, local authorities and NRW came together to quickly fund and repair damaged coastal defences was in contrast to the position in England.

A Delivery Plan is being prepared by NRW to identify relevant leads and progress recommendations.

Roadmap



Glossary (not alphabetical)

DECC - Department for Energy and Climate Change

PEDL – Petroleum Exploration Licence (Grants exclusive rights to an operator to search for onshore gas in a defined geographical area)

MPA – Mineral Planning Authority (In Wales this is the Local Planning Authority)

ERA – Environmental Risk Assessment (required by DECC where operators are proposing to Hydraulically Fracture)

EIA – Environmental Risk Assessment

Environmental Regulator – In Wales this is Natural Resources Wales who issue Environmental Permits

BGS – British Geological Society

Traffic Light System – Condition of DECC Licence to control seismic risk of earthquakes.

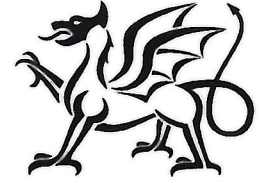
HSE – Health and Safety Executive – Responsible for ensuring the integrity of the well.

Before commencing drilling operations for onshore oil and gas development the operator must have

- Obtained a petroleum exploration and development licence (PEDL) from DECC or petroleum licence (PL) from DETI
- Secured a lease from the landowner
- Submitted relevant PON notifications to DECC/DETI (<https://www.gov.uk/oil-and-gas-petroleum-operations-notices>)
- Satisfied DECC/DETI that effective operational and environmental management systems are in place
- Secured planning permission from the MPA/LPA/DOE
- Discharged any relevant conditions placed on the planning permission by the MPA/LPA/DOE
- Obtained a permit from the Coal Authority if the well will encroach on coal seams (excluding NI)
- Informed the BGS/GSNI of the intention to drill
- Completed the necessary consultation processes with all the statutory/relevant consultees
- Obtained all the necessary permits from the relevant environmental agency (EA/NRW/SEPA/NIEA)
- Notified the HSE/HSENI of the intention to drill (minimum 21 days' notice)
- Provided HSE/HSENI with details of the proposed well design that have been examined by an independent and competent well examiner (minimum 21 days' notice)
- Agreed data-reporting methods with DECC/DETI
- Agreed a method for monitoring induced seismicity and fracture growth height with DECC/DETI, where hydraulic fracturing is planned
- Received approval for an outline hydraulic fracturing programme from DECC /DETI, where hydraulic fracturing is planned.

Agenda Item 7.6

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: SF/RE/3289/14

Alun Ffred Jones AM
Chair, Environment & Sustainability Committee
National Assembly for Wales

12 October 2014

Dear Alun Ffred,

Further to my appearance before the Committee on 17 September I am pleased to provide the additional information that I agreed to submit.

I attach at Annex 1 the Cymorth TB Evaluation report undertaken by Dr Gareth Enticott and Dr Kim Ward of Cardiff University. The report evaluates the experiences of farmers, private vets and Government vets, and includes a large number of direct quotations from those involved in the pilot. It states that the Cymorth TB pilot "successfully demonstrated the value of involving private vets in the management of bovine TB to farmers, AHVLA and private vets themselves".

The report is a positive assessment of the pilot and makes a number of recommendations as to areas that might enhance any future programme. I will be considering these recommendations, in particular those relating to the continued training of private vets, and improved communication strategies between Government and Cymorth TB delivery partners. The report will also be shared with wider stakeholders and operational partners who will assist us in developing the programme.

We also discussed the Common Agricultural Policy (CAP) in relation to the new Greening requirements and I agreed to clarify my position in terms of those wishing to withdraw from Glastir.

I am waiting for the initial response to the Wales Rural Development Programme 2014-2020 (RDP) submitted in July which included activities funded through Glastir. We are in discussions with the European Commission and are seeking further clarification on specific issues. We have developed solutions and ways of mitigating greening double funding without affecting Glastir in most cases and we are currently working through the more complicated options. The vast majority of Glastir contract holders will transfer over to the programme without adverse effect.

In instances where double funding cannot be avoided, the Welsh Government will seek ways of amending existing contracts to reflect the new regulations. Where this requires a significant change to the commitment or a change to its material value, the land manager will be allowed to terminate the contract without penalty and the completed capital works will be fully reimbursed.

I also agreed to outline my actions and plans for the Welsh Dairy Sector, in particular my plans to use the RDP to support industry development and ensure that supply chains benefit the dairy industry in Wales.

The Welsh dairy sector, as with all sectors of the agriculture industry, must act to safeguard itself and become more resilient to changes in market price. Our markets are influenced by global trade and neither the Welsh Government nor the industry in Wales can influence global commodity prices. What we can influence is our overall efficiency, both on farm and in processing, so that we can compete with other dairy producing countries. This is the best approach for most dairy businesses although there will be niche opportunities for some in the development of more high value added products which we will also support.

The RDP will offer opportunities for dairy farmers. Farming Connect will support the sector with a programme of Knowledge Transfer, support for innovation, technical advice and skills development. I have asked Gareth Williams, who produced the Working Smarter reports, to review what we deliver under Farming Connect under the new and, subject to his final recommendations, this might well include genetic improvement, cow nutrition and the production and use of grass and other forage crops - all of which are of direct interest to dairy farmers.

The Sustainable Production Grant will support farms making capital investments to improve their efficiency by reducing their inputs and making full use of the resources on the farm. At the same time the RDP will continue to support milk processing industries and supply chain development in ways that will add value to dairy products.

I trust that I have addressed the Committee's queries in full and I look forward to continuing to work closely with you in the future.

Yours,

Rebecca

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



EVALUATION OF THE CYMORTH TB PILOT PROJECT

Final Report

Dr Gareth Enticott

Dr Kim Ward

July 2014

EXECUTIVE SUMMARY

Background and Aims

Cymorth TB was established as a pilot scheme by the Welsh Government in 2012 to change the way TB breakdowns are managed. Traditionally, private vets tested farmers' cattle for TB. When TB was discovered private vets played no further role and the breakdown was then managed by government vets (in AHVLA). However under the Cymorth TB scheme, private vets receive training so that they are more involved in the management to help better support and advise farmers to meet the goal of eradicating TB in Wales. This evaluation investigates the implementation of the Cymorth TB to meet *two main objectives*:

1. To evaluate farmers experience of, and satisfaction with, the management of TB (during the Cymorth TB pilot)
2. To evaluate private veterinarians (OVs) experience of taking part in the Cymorth TB project including:
 - (a) OV satisfaction with training provided by Cymorth TB.
 - (b) OV satisfaction with the 'Cymorth Visit'; including functional tools used during visit.
 - (c) Improved/effective joint working and communications between OVs and the AHVLA during the pilot.

Methods

These aims of this evaluation were met through the use of in-depth interviews with farmers and vets and a follow-up focus group/workshop with vets at the end of the pilot. In total 30 interviews were conducted with a variety of stakeholders. These included:

- 14 in-depth interviews with Cymorth TB farmers
- 5 in-depth interviews with non-Cymorth TB farmers
- 7 in-depth interviews with OVs
- 4 in-depth interviews with AHVLA vets (VOs)

Results

FARMERS

In general, farmers felt the Cymorth TB pilot provided them with added support which was beneficial to them. In particular, farmers believed that the involvement of their private vet in the management of TB gave them:

- an understandable and accessible source of communication/advice;
- a tailored and trusted service which took into account issues of business and empathy;
- bespoke advice based on knowledge of the farm, animals and the farmer.

Farmers also made clear distinctions between the role of private vets as experts in herd health and AHVLA vets as experts in legislation and licensing.

VETS

Overall vets felt that being part of the Cymorth TB pilot enhanced their knowledge and value as a private vet. All vets thought that they have a role to play in the eradication of TB through the potential roll-out of Cymorth TB in the future.

Vets were happy with the training they received which they found useful and provided a good overview of TB. However vets suggested some improvements which could be made including:

- Vets suggested that training in future should be held on more days to provide a better fit with other work.
- Additional training should take the form of a practical 'on-farm' training day to cement classroom taught skills in the field.
- Requests for additional training included training in TB epidemiology, badger ecology and 'diplomacy'.

There was evidence of improved communication between AHVLA and private vets however decisions taken by AHVLA still appeared confusing to vets and ways of improving communication between AHVLA and private vets are still required.

THE USE OF MAPS

Maps were a key tool used during the Cymorth TB process. However vets made a number of points were raised to improve their use in the future. These included:

- The use of maps was limited by data protection rules meaning that the maps private vets received were vague and lacking in important details
- Maps which showed threats and the movement of disease were seen as most useful as ways of communicating risks to farmers.

Key Recommendations

To improve the process in future, the following recommendations are suggested:

1. A clearer distinction between the DRF and Cymorth TB visit needs to be made to ensure farmers understand the value provided by WG funding for Cymorth TB.
2. Maps: OVs need better access to accurate maps to help them conduct Cymorth TB visits.
3. TB data: OVs should be provided with info about the TB situation on surrounding farms
4. Risk Communication: Welsh Government should examine the use and effectiveness of using a range of different maps and metrics in Cymorth TB to communicate risks to farmers.
5. Communication: OVs need access to simple notes to explain to farmers decisions taken by AHVLA
6. AHVLA relationships: communication between vets and AHVLA during Cymorth TB should be enhanced by having a number of fixed reporting points between the case vet and private vet.
7. Vet Training: scenario based training should continue and involve vets with different experiences of managing TB.

CONTENTS

EXECUTIVE SUMMARY	2
1. Introduction.....	7
1.1 Aims of Evaluation	8
2. Background to Cymorth TB	9
2.1 Methods	10
3. Results	12
3.1 PART ONE.....	12
3.1.1 Cymorth TB Farmers.....	12
3.1.2 Cymorth TB: Improving communications	12
3.1.3 Cymorth TB: ‘Knowing’ the farm and the farmer	14
3.1.4 Cymorth TB: The farm walk	15
3.1.5 Cymorth TB: Distinguishing between visits/roles	16
3.1.6 Summary.....	19
3.2 PART TWO	20
3.2.1 Cymorth TB Vets.....	20
3.2.2 Training.....	20
3.2.3 The Cymorth TB Visit.....	22
3.2.4 Partnership working and Communication.....	24
3.2.5 Added value to Private vets	26
3.2.6 Benefits to farmers	27
3.2.7 Summary.....	27
3.3 PART THREE	29
3.3.1 Cymorth TB – Focus Group Findings.....	29
3.3.2 Mapping the Breakdown	29

3.3.3	Training.....	33
3.3.4	Training Vets.....	33
3.3.5	The AHVLA – OV Relationship	34
3.3.6	Summary.....	35
4.	Conclusions	37
4.1	Farmers.....	37
4.2	Vets.....	37
4.3	The Use of Maps.....	38
4.4	Key Recommendations	38
5.	References.....	39

“You should have your private vet involved [in a TB breakdown] because we’re all a big team; I mean we’re all supposed to be working together aren’t we”

Cymorth TB farmer

“I think it will make a lot of difference to an awful lot of people, especially elderly farmers, farmers who are in their late 60s who have got old buildings, I think it will help them an awful lot... so yes I think with your own vet it is quite important because you can have an on-farm chat as well, ask certain things that you are not sure of, so yes, I think it is useful, I think a lot of people can learn an awful lot from their vets”

Cymorth TB farmer

“[Cymorth TB] has helped improve relationships for us, to be seen as being proactive and have the expertise around TB... it has added value to the role of the private vet”

Cymorth-trained private vet

1. Introduction

Successful eradication of bovine Tuberculosis (TB) in Wales relies on a number of stakeholder interdependencies beyond government; including farmers and private veterinarians. ‘Trust’ will be a key element in this success. However the continued spread of TB, in combination with a number of other crisis’s in the cattle industry including Foot and Mouth Disease (FMD) and BSE, has mean that trust between industry and government has dwindled somewhat over the last two decades (Enticott, 2008a).

Trust has been shown to play a central role in influencing farmers behaviours. Hall and Pretty (2008) found that low levels of trust in government were likely to delay farmers’ uptake of sustainable management practices. Levels of trust have also been found to effect farmers perceptions of disease risk. For example Palmer *et al.* (2009) found that the trust levels of cattle farmers were a significant contributor to their *perception* of infectious disease risk; and their subsequent disease management behaviours.,

Additionally whilst Heffernan *et al.* (2008) study of UK cattle and sheep farmers found that attitudes toward bio-security did not appear to be influenced by any particular source of information, strong negative attitudes were found toward specific sources of bio-security information, e.g. government leaflets, reflecting widely held beliefs and distrust in government sources of information. This study concluded that “*in order to support collective action with regard to bio-security, messages need to be reframed and delivered from a neutral source*”.

In fact great importance is placed on access to authoritative information with most farmers seeing [private] vets as the neutral/expert source to interpret generic advice from national bodies in their local context (Garforth *et al.*, 2013). Previous experiences of pilot projects in Wales, such as the Intensive Treatment Area (Enticott, 2008b), also reveal that there are mutual benefits to be gained from involving vets in the management of TB. In the ITA, vets became knowledgeable about biosecurity and were able to pass on advice to farmers reflecting the context of their farm. Farmers appreciated the involvement of farmers and received not just support over disease management but emotional support as well. Such methods are likely to be better at generating on-farm risk reduction measures than the communication of general advice (Enticott *et al.*, 2012).

The aim of the Cymorth TB pilot project was to train private vets to provide additional support and advice to farmers experiencing a TB breakdown. By training private vets as ‘neutral’ source of support and advice the project aims to support the eradication of TB from Welsh cattle herds in the long-term.

This report forms part of the evaluation of the Cymorth TB project. The evaluation encompassed in-depth interviews with farmers and vets who had taken part on Cymorth TB to examine the effects that the pilot had on their experience of managing a TB breakdown. In addition, the experience of private vets was further investigated during a workshop/focus group event held at the end of the pilot. This aims of this evaluation are as follows:

1.1 Aims of Evaluation

The objectives of the evaluation were as follows:

Objective 1: To evaluate farmers experience of, and satisfaction with, the management of TB during the Cymorth TB pilot.

Objective 2: To evaluate private veterinarians (OVs) experience of taking part in the Cymorth TB project including:

- (a) OV satisfaction with training provided by Cymorth TB.
- (b) OV satisfaction with the 'Cymorth Visit'; including functional tools used during visit.
- (c) Improved/effective joint working and communications between OVs and the AHVLA during the pilot.

The report begins by describing the methods used for this research. In the results section following qualitative analysis focuses on 1. Farmers, and 2. Vets, experience and satisfaction with their involvement with the Cymorth TB pilot. The report concludes by identifying best practice as well as gaps in the pilot project.

2. Background to Cymorth TB

In 2012 the Welsh Government established Cymorth TB; a pilot scheme that changes the way TB breakdowns are managed. Traditionally, private vets tested farmers' cattle for TB. When TB was discovered, private vets played no further role and the breakdown was then managed by government vets (in AHVLA). However under the Cymorth TB scheme, private vets receive training so that they are more involved in the management of the breakdown and are able to provide support and advice to farmers. The project therefore aims to benefit both vets and farmers by up-skilling vets to better support farmers. The aim of the Cymorth TB project is ultimately to reduce and eradicate TB. However the immediate objectives are to deal with a range of problems and issues currently affecting the management of a TB breakdown.

The table below indicates the range of issues and outcomes that Cymorth TB may address:

Issue	Stakeholder	Outcome
Farmers receive inadequate or inappropriate advice on how to manage a TB breakdown. This may be because DRFs are not appropriate, and/or they are conducted by the AHVLA	Farmers	Satisfaction in TB breakdown management; Farm management decisions relating to TB
OVs do not possess appropriate skills and knowledge to manage a TB breakdown	Vets (OVs)	Acquisition of knowledge and skills to manage a TB breakdown Breakdowns are managed for the purpose of eradication
Information is not shared between OVs and VOs on TB breakdowns	Vets (OVs and VOs)	Effective joint working Trust between OVs and VOs
OVs are isolated from the management of TB breakdowns	Vets (OVs)	Trust and confidence in the AHVLA

		Trust in TB management
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Table 1. Issues and outcomes addresses by Cymorth TB

This evaluation investigates the issues and outcomes identified above in relation to the implementation of the Cymorth TB pilot.

2.1 Methods

As stated above, the key aims for the evaluation were to:

3. To evaluate farmers experience of, and satisfaction with, the management of TB (during the Cymorth TB pilot)
4. To evaluate private veterinarians (OVs) experience of taking part in the Cymorth TB project including:
 - (d) OV satisfaction with training provided by Cymorth TB.
 - (e) OV satisfaction with the 'Cymorth Visit'; including functional tools used during visit.
 - (f) Improved/effective joint working and communications between OVs and the AHVLA during the pilot.

These aims were executed through the use of in-depth interviews with farmers and vets. Interviews allow the researcher to reveal the views and experiences of their participants; and are useful in capturing detailed information about a persons' thoughts and behaviours or for exploring new issues in depth. Additionally a follow-up workshop/focus group was conducted with vets at the end of the pilot. Focus groups are group discussions arranged to examine a specific set of topics and primarily aim 'to describe and understand meanings and interpretations of a select group of people to gain an understanding of a specific issue from the perspective of the participants of the group' Liamputtong (2009).

Overall 30 interviews were conducted with a variety of stakeholders. These include:

- *Farmer interviews*

In-depth interviews were conducted with 14 farmers *who had taken part in* the Cymorth TB project and 5 farmers *who had not taken part in* the Cymorth TB. The former were asked questions related to (a) their experience of the visits provided by the AHVLA vet and (b) their experience of the visit provided by their 'Cymorth'-trained private vet (see appendix A for full interview schedule). The latter were asked questions related to their experience of the of the visit provided by the AHVLA vet (see appendix B for full interview schedule). Farmers were drawn from areas with different levels of TB within the Cymorth TB project areas.

- *Vet interviews*

Interviews were conducted with 7 private vets who had conducted at least one Cymorth TB visit (note: at the time of evaluation only 9 private vets had conducted a Cymorth TB visit). OVs were asked questions regarding their experience of training, the level of communication/joint working during Cymorth, and their experience of the Cymorth TB visit (see appendix C for full interview schedule). Interviews were also conducted with 4 AHVLA Veterinary Officers (VOs) who had completed a DRF visit prior to the execution of a Cymorth TB visit. VOs were asked questions regarding communication and joint working and trust and confidence in OVs (for full interview schedule see appendix D).

- *Focus Group/Workshop*

A final workshop was organised with OVs and VOs that participated in Cymorth TB. During the workshop, vets were split into two groups to discuss their experiences of the pilot project. The focus groups were in two stages: the first discussion considered the use of maps during the Cymorth TB visit. Vets discussed the limitations of the maps they received and the merits of alternative maps and information to communicate to farmers. The second discussion focussed on the delivery of Cymorth TB, their perceptions of the training they received, and improvements that could be made to the scheme.

3. Results

The results section is split into three parts based around the interview and focus group activities. Part One presents findings from the farmer interviews; and seeks to evaluate farmers' experience of and satisfaction with the management of TB during the Cymorth TB pilot (to meet Objective 1). Part Two presents findings from interviews with vets and Part Three presents findings from the focus group/workshop. Part Two and Three evaluate vets experience of taking part in the Cymorth TB pilot to meet Objective 2.

3.1 PART ONE

3.1.1 Cymorth TB Farmers

Generally farmers valued support from both government vets and their private vets; accepting the differing skills and available support. The main feedback was that the two complimented each other and that collaborative working added value. The following parts will present results from a critical analysis of in-depth interviews with farmers. This section will tease out the benefits felt by farmers in involving private vets during a TB breakdown during the Cymorth TB pilot. This section is broken into four sections: (a) communication, (b) knowing the farm and the farmer, (c) the farm walk, and (d) differences between visits/roles.

3.1.2 Cymorth TB: Improving communications

Farmers valued the support provided by their own private vet during the pilot. In particular they viewed their own vet as a trusted source who they were able to communicate with effectively and understand advice after a TB breakdown. For example many farmers felt that the private vets provided them with what one farmer described as an 'approachable in-betweenener'; someone whom they felt able to ask any questions knowing they would be answered in a clear and communicable way. For some farmers this meant having a British vet whom they felt comfortable with and were able to clearly comprehend:

"I understand more from my own private vet I think...the thing is the one [AHVLA vet] we had at the start, she wasn't English and I had a job trying to understand her... It helped a

bit [having an OV] I could understand what she was talking about and you can understand them”

“Well the Ministry vet, she was Spanish, very lovely though, and she went through it all with us, but sometimes its a bit clearer with you own vet”

The ability of farmers to clearly understand or engage with [foreign] AHVLA vets was also a concern of a number of OVs, one who stated:

“the problem is a lot of the farmers don’t understand them, it’s difficult, the case vets should speak better English, if they don’t then they are not very approachable”

However it should be noted that this was not a concern of all farmers, indeed some farmers interviewed found their (foreign) AHVLA vet easy to understand; as well as helpful. For example:

“We talked about everything really, you know how we could avoid it happening again... it was very useful. He was very nice and young and foreign”

It should therefore be noted that the ability of foreign VOs to communicate effectively to Welsh farmers is variable and dependent on a number of factors regarding the individual circumstances of the farmer and the VO themselves. Farmers however did view their own private vet as an approachable source of advice for reasons beyond language comprehension. For some farmers this was because their own vet was seen to be *independent from government* and therefore a more neutral and amicable source of advice:

“He’s [OV] more approachable because he’s not from the government, he’s an approachable in-betweener, whereas the AHVLA are not are they”

“I think it is [important to involve OV] because it someone that you are closer to, you’re private vet. I mean they deal with so much of it don’t they, these Ministry vets, and you think are they going to value the right value? or think about our income over the next couple of years? they don’t even think about that”.

“they know our business more than the Ministry vets do, because they are caring for our livestock, and have perhaps a little bit more empathy for what we are going through, so we would certainly want to see our local vets as a source of information”

In general farmers valued the support of their own vet to help them manage a TB breakdown more effectively for a number of reasons, of which one relates to the points above. Many farmers saw private vets as someone who was separate from the government who would have empathy with their situation on a personal and business level. This relationship meant that farmers valued the 'neutral' advice given by their own vet as being of benefit to them on a business level (as opposed to their view of 'Ministry' vets)

3.1.3 Cymorth TB: 'Knowing' the farm and the farmer

A second commonly cited reason that farmers felt it was beneficial to have their private vet involved during the Cymorth TB pilot was due to their private vets historical knowledge of the farm and the herd. The majority of farmers thought that their private vets would be able to provide them with bespoke advice and information tailored to them specifically due to their historical/on-going relationship. For example farmers commented:

"They know your situation better, the Ministry vet will just turn up on the day and just have to go on what he sees, whereas your vet knows around the place, knows your systems and the way you do things and can explain it better, and he knows the way you do your farming"

"you know them personally and they know the farm- which is good as you can ask them anything"

"It is useful [to have private vet involved] because he knows your farm, he deals with your animals and he is a person you can talk to at face value"

"it's important to have your private vet involved in this process, they are the people who are dealing with the farms first hand, and are on a more personal level with local farmers."

As the quotes above demonstrate, the perception that private vets would provide superior advice [to AHVLA vets] due to a historical working relationship 'on-farm' is also combined with 'trust' in their own vets. The idea of a 'personal relationship' was important to most farmers, not only because their private vet 'knew' their animals/farm, but also because they provided a trustworthy avenue of advice and information, making them, as one farmer above described, someone they could 'talk to at face value'. In this sense farmers valued the advice given by their private vet involved during the Cymorth TB pilot due to its 'bespoke' on a farm level and personal level.

3.1.4 Cymorth TB: The farm walk

As part of the Cymorth TB pilot private vets were advised to spend 70% of their time conducting a farm walk. During several farmer interviews the farm walk was identified as being the key practical aspect of the Cymorth TB pilot which was beneficial to them as a source of advice and information. For some farmers the walk allowed time to ask questions and advice. In addition being on the land prompted discussions which may not have been had around the kitchen table. Some farmers stated:

“they took plenty of time with it, no rushing, and we talked about different things and asked [OV] various questions”

“I think [farm walk] with your own vet it is quite important because you can have an on-farm chat as well, ask certain things that you are not sure of, so yes, I think it is useful, I think a lot of people can learn an awful lot from their vets”

For some farmers the farm walk proved to be an ‘eye-opening’ experience; allowing them to visually understand how biosecurity could be improved:

“Well we did the walk around the field and he explained the most prevalent areas for badgers and stuff like that trying to persuade them not to stay on you... it opened my eyes a bit more when we had the field walk, this is the first time we’ve had a field walk”

“The walk was useful cus you get a better idea of what you’re dealing with, we thought certain fields were very well fenced whereas the [private] vet said there was actually a small gap that the badger could squeeze through, you are more aware of it then, in certain areas, that you have got a badger problem, but apart from the water tanks, and some sheds on the farm that we thought were pretty safe but he said no they can find their way in through a 6-8 inch gap through the door, and they could push them, so we closed that and put some bars under that now so its a lot heavier to push, we’ve made the shed a lot more secure”

As the quotes above illustrate many farmers found the farm walk provided with their private vet through the Cymorth TB project a beneficial experience on a very practical level. In general farmers found the farm walk was beneficial to them in two ways. First, it allowed them the time and prompts (being on-farm) to ask questions and discuss issues which may not have been otherwise tackled in the farm office. Second, the very practical aspect of being shown (perhaps lax) biosecurity measures whilst walking the farm with their private vet improved their awareness of potential risks.

However, although most farmers agreed that the walk was useful some found it difficult to differentiate between the farm walk conducted by their own vet and the farm walk conducted

with them previously by their AHVLA vet during the Disease Report Form (DRF) visit. For example one farmer said:

“Its always useful [to do a farm walk] because you will always learn something more, because a different vet will have a slightly different angle on something, so yes it was useful, but it was no different from any other visit you know, you walk around the farm, check where your likely breakdown areas would be ...”

Whilst this view [of the farm walk] was certainly not shared by the majority of farmers interviewed, some farmers did have difficulty in clearly distinguishing between the two visits. This issue will be discussed in the following section.

3.1.5 Cymorth TB: Distinguishing between visits/roles

As part of the evaluation farmers were asked to distinguish between the visits provide by the AHVLA vet (to complete DRF) and the Cymorth TB visit undertaken by their private vet. When asked to describe the key differences between their experiences of the two visits farmers were split in their responses. Some farmers distinguished the visits in clear terms. When this was the case the farm walk was the differentiating factor from the AVHLA visit, which many thought dealt mainly with ‘paperwork:

“The second [Cymorth] visit was different, we walked the whole farm, whereas with the Ministry vet we just walked the farm yard... and we talked about some things that we feasible and some things that weren’t”

“ [DRF visit] was more paper work and filling in forms and stuff like that... the first one was the Ministry vet that was form filling, finding out who are neighbours are, where they are”

“With the local vet we walked the farm, he gave me some advice about buildings to make them badger-free, which we had thought about, it was common sense to be honest with you but there was a few things like water tanks outside that we hadn’t given a thought to before, holes where the badgers could reach ... With the Ministry vet it was mainly just paperwork, asking questions, we didn’t walk around the farm”.

The cases above represent farmers who found the practical aspect of the farm walk distinctive and beneficial. However whilst some farmers found the field walk aspect of the Cymorth TB distinctive [from the DRF visit] other farmers interviewed found the practical aspects of the Cymorth TB visit very similar to the initial visit conducted by the AHVLA vet to carry out a DRF.

In these cases farmers still found extra discussions with their private vet useful, but questions to differences between the two visits:

“in reality [the Cymorth visit] just covered the same ground. Some suggestions were made and any extra discussions are useful”

What was the difference between that visit and the visit from your own vet?

“Very much the same, very much the same, they went through, it was almost the same”

“we have so many vets here I can’t remember... we talked about security, biosecurity, and I’m sure we did that with the Ministry vet as well...specifically what was said was probably along the same lines as the Ministry vet”

These perceived similarities could be due to a number of issues. First, and as noted by the farmer of the last quote, due to the availability of contact details some farmers were contacted by the evaluation team a number of months after the DRF and Cymorth TB visit. This may have made clearly distinguishing visits or remembering specific details of each visit difficult for some farmers. However it is also possible that farmers received visits from the AHVLA vets of differing detail; with some farmers receiving a farm walk as part of the Case Vet visit to complete the DRF.

Analysis of farmer interviews also presents a clear distinction in the way the farmers perceive the role of their own private vet and AHVLA vets in supporting them through a TB breakdown. As noted in the preceding sections private vets were regarded as ‘*approachable in-betweeners*’ who could provide trusted tailored advice which was farm-specific. However farmers also identified AVHLA vets as having a clear and concise role which was important to them. In particular the majority of farmers interviewed viewed AHVLA vets as ‘*experts*’ regarding advice on legislation, movements and licensing and several farmer said that they would seek out AHVLA advice on these issues. For example farmers commented:

“they [AHVLA] would be my point of contact for procedures and legislation’

“Just to know what to do, so we’re not doing anything wrong, just what we can do, trouble is when they send the paperwork its covered in so much, you’ve got to read it all and it’s a bit too much, but when he [AHVLA] comes he can tell us what to do”

“the Ministry vet is the expert in that job and would be my first point of call for any purchase questions, my own vet might perhaps say ‘ask the AHVLA”

Many farmers viewed the AHVLA vets as experts in legislative procedures. In some cases this was not due to lack of confidence in their own private. It was an issue of 'role':

"The Ministry vet, we tend to use them for advice on what we're doing once we've had a breakdown, see if we need to get special licences, rather than through our own vet because they haven't got the power in the same way, but in terms of day to day management of the herd regarding TB we would use both actually, we use the Ministry vets more for how are we going to get licenses to move on or for moving cattle off for slaughter if we are under restrictions,

Would you feel confident in asking your own vet those kinds of questions?

"Well it's not a question of confidence, it's a question of who knows, you know the vets seem to have a slightly different role, our local vets don't have the, it's nothing to do with confidence, if we needed to know medically about cattle health we would go to our ordinary vet but in terms of movement and legislation involved we would go to the ministry vet, just that the Ministry vet is slightly higher up on the legal system really in terms of movement."

However some farmers were felt that the expertise of AHVLA vets clearly eclipsed that of their private vet on these issues, with farmers suggesting that they were:

"not overly convinced my own private vet can deal with that specific information, TB is a specific issue and legislation is quite movable"

"I think my vet would not possibly give comprehensive enough information"

Whatever the reasons, a firm distinction on what information farmers would call upon their own private vets for and AVHLA vets for was made by the majority of farmers interviewed; who would call on the AHVLA for legislative/movement issues and their own private vet for issues of herd health. This working distinction was also echoed by private vets themselves, many who felt it was important for AHVLA vets to provide advice around regulation/legislation regarding a TB breakdown, not them. This was because for some private vets a link to legislation and regulation could affect there business relationship with clients. As one vet commented:

"The regulatory role still has to come from them [AHVLA vets]. If it came from us it would hinder the close working relationships with have with clients"

This is something to take on board when considering the resilience of private vets working as part of Cymorth TB in the long term.

3.1.6 Summary

Overall farmers felt the Cymorth TB pilot provided them with added support which was beneficial to them. In particular they commented that the involvement of their private vet gave them (a) an understandable and accessible source of communication/advice, (b) a tailored and trusted service which took into account issues of business and empathy, and (c) a farm walk which used historical knowledge of the farm/animals to offer bespoke advice specific to each farmer. (d) Farmers also made clear distinctions between the role of private vets as experts in herd health and AHVLA vets as experts in legislation and licensing.

3.2 PART TWO

3.2.1 Cymorth TB Vets

The part will present results from analysis of interviews conducted with vets. To begin, the first part will examine vets experience of the Cymorth TB pilot in relation to (a) training, (b) the farm walk, (c) communication/partnership working, and (D) added value to private vets. This section will conclude with a short section on perceived benefits to farmers.

3.2.2 Training

Overall vets were very happy with the training provided by Cymorth TB. All vets interviewed thought the presentations were useful and felt that the training was effective; in particular the interactive workshops were well received. For example vets said:

“The information provided on the training days was very useful as particularly the interactive element which gave a practical element to the training which we as vets often prefer”

“the training was very good and covered a lot of information over the two days”

“The training was good and quite thorough, I think they covered quite a lot of information that we needed to know straight off”

“it gave a good overview of the whole process and broadened my knowledge of TB”

However whilst the training was well received vets put forward a number of suggestions which could improve the training process for the future.

(a) Skill set/subject knowledge

It was noted by private vets that a *special* skill set was required to help vets understand and control TB and extra training in particular areas would be useful to if private vets are to assist in achieving the goal of TB eradication. In particular extra training regarding the *epidemiology* of the disease was especially welcomed:

'this special skill set can only be learnt through training courses and epidemiology courses and would be useful'

'training on epidemiology would allow us to give more detailed advice to farmers'

"Details of the epidemiology would help us to give farmers more detailed information, and make us confident that we knew what we were talking about"

In addition to the emphasis placed on knowing the epidemiology of the disease there were also suggestions that extra training should be provided on *badger ecology* and aspects of farm management related to badger control. For example one vet stated:

"training on badger ecology research could be very useful, that would enable us to exchange information with farmers and discuss areas of risk [regarding badgers] which could then be addressed"

"vets need a bit more training on how to badger proof open spaces and other practical training regarding biosecurity, the practicalities and costs to talk to the farmer"

In addition one vet suggested that training in 'diplomacy' might also be useful for OV's. As noted in many of the interviews private vets have a business relationship with farmers which needs to be maintained. It was thought that training in 'diplomacy' could help vets to navigate conversations with farmers on what is often a difficult subject:

"Talking to farmers who have TB is an exercise in diplomacy and this [diplomacy] is an important skill set to have, it might be useful to have some training on this, particularly for private vets who have essentially a business relationship with the farmer"

As this section demonstrates overall vets were happy with the training they received. However the suggestions presented above could improve information/advice delivery to farmers in the long-term; as private vets become more knowledgeable on understanding routes of disease entry and even perhaps improve on diplomacy.

(b) Practical 'on-farm' training

Analysis of the private vet interviews also suggests a follow-up *practical* training day 'on-farm' would enhance knowledge-exchange between the Welsh Government and themselves. It was suggested that a practical day would help to cement classroom-learnt skills into everyday practice. For example vets said:

“training could be improved by part of the training being carried out on a farm walk or example, where you can look at the pinch-points and then come back and discuss it. With this type of hands-on practical experience you get an immediate feel for it”

“the training was good but you need a follow-up, once you’ve done a few visits you have a list of questions that the farmers throw at you on farm”

“it would be useful to have some training on-farm to see how farms work, this is important to managing TB”

(c) Flexible/increased training dates

Some private vets identified the need for supplementary/flexible training days to allow other members of their veterinary practice to become ‘Cymorth trained’ (OVa). This was a view shared by the majority of vets interviewed who thought supplementary training days would allow Cymorth TB to become more sustainable in the long-term: as large workloads could be shared among vets within a practice. In the current arrangement often only one vet from each practice was able to attend both training days which mean that those vets had an increased workload during the pilot. Some vets found this to be an issue:

“one of the problems was not being able to release more vets for training, had there been more training days then we would trained others to take some of the workload off us”

“one of the visits fell at the busiest time of the year and we really needed others trained to take the pressure off us at that point”

“there were no other vets than me and the availability of vets to get training is a problem, there needs to be more training days for vets to attend”

3.2.3 The Cymorth TB Visit

As part of the Cymorth TB pilot private vets were allocated and paid for a 3 hours visit to the breakdown farm and the Welsh Government stipulated that as a rule of thumb at least 70% of the visit should be taken up touring the farm; walking the boundary where possible, and discussing identified risks with the farmer. During the interviews private vets were asked about their experience of this Cymorth TB visit. The first section will describe the practically aspect of these visits and the potential benefits they had. The second section will examine the functional tools used during these visits; examining what worked and what could be improved.

The farm walk

The farm walk was an integral part of the Cymorth TB visit. In general vets found the walk productive, particularly when assessing potential risks to farms from TB. Here's how some of the vets described these walks:

"we walked a couple of the fields where he felt there was a problem and that was very useful because we mapped out the problem together and the risks"

"we had a general chat first and then we got out on to look around buildings and on to the land to do a general risk assessment"

"the walk was very useful, we looked at every field, looked at fencing, badger activity and badger latrines. We also identified a boundary with another farm with a fence down that hadn't been spotted and the farmer did make the changes suggested to that"

Overall vets found the farm walk to be a useful tool when identifying and communicating disease risk to farmers. This was also noted a beneficial exercise to farmers in the preceding section. However there were some criticisms of the functional tools provided for this walk and these were practical aspects which could be easily improved by the Welsh Government to provide a better service for farmers. Interview analysis identified areas of improvement for the Cymorth TB visit which have the potential to add greater value for the Welsh Government. In particular, the private vets identified a key improvement which could be made to the functional operation of the Cymorth TB visit; the suitability of maps provided to private vets.

Maps

Maps play a significant role in managing animal diseases by allowing vets to visual disease risk and through this potentially guiding farmers' behaviour. Overall private vets found that the maps provided for the Cymorth visit could be improved to provide a better practical foundation to the visit. First, many vets found that the maps provided were inconsistent in scale:

'the map for the first visit was very useful, the next ones had changed, they weren't so good and had a slightly smaller scale'

"the map was very small in scale and not easy to follow. The farmer got his imax map out and we used his instead"

"for the first one [map] we had a good field map, but the last two weren't so good as they were at a slightly smaller scale"

"maps are incredibly important and the Cymorth maps are not as good as the biosecurity maps as they are too small in scale and don't print well"

“for one visit we got sent an OS map so it didn’t show boundaries... if you can see boundaries it is much easier to talk through biosecurity issues with the farmer. it [map] had not nearly as much detail as the DRF”

The issue of printing was also an issue for another OV who stated:

“printing the forms in a way which was legible was a problem and time consuming for us”

As becomes apparent from the quotes above the scale of the maps provided for Cymorth TB vets and the difficulty printing them was a significant issue for most vets. When asked why the maps were so important to the potential outcomes of their visit private vets underline the importance of maps to visualise and understand local disease risk:

“maps of local disease is very useful and if we aren’t allowed to see local maps which show local outbreaks then we are working in the dark”

This is something which shall be elaborated on further in the last section which analyses the vet focus group.

Best time for intervention

Vets were also asked when to identify the best time for Cymorth TB vets to support farmers. Most vets thought that their support would be most beneficial to farmers who had not yet suffered a TB breakdown, for example vets said:

“we should roll out the visits to farmers who haven’t yet had a breakdown, build it into annual TB testing or in that window, and try to prevent it before it becomes a problem, that’s where the benefit would really come”

“we need to be a bit more forward thinking and an obvious role for OVs is on farms which have never had a TB breakdown, perhaps it should be in the farm health plan”

The idea that the role for private vets should begin before a breakdown, either as part of the TB testing process or as an element of herd health planning, was echoed by most vets interviewed.

3.2.4 Partnership working and Communication

The Cymorth TB pilot aimed to increase communication and partnership working between private and AHVLA vets in the management of a TB breakdown. This next section will examine private vets experience of communications and partnership working during the Cymorth TB pilot.

Before Cymorth TB communications between AHVLA vets and private vets were often felt to be severely lacking. During the interviews private stated that before Cymorth TB that had often felt 'kept in the dark' regarding TB information beyond testing. In fact a number of private vets commented that before the became involved in the Cymorth TB pilot information exchange regarding a TB breakdown was not communicated to them via the AHVLA. In many cases vets relied on farmers to give them information regarding TB on their farm. For example vets commented:

"traditionally we've been kept in the dark and we had to gather information about their TB breakdown from clients which is a bit embarrassing"

"pre-cymorth we had little contact with the AHVLA. We got told the PM results and culture results but in the last 3 years we haven't even had that. It makes it very difficult for us to know what is going on on farms and we have had to gather data about lesions and culture from the farmer"

"we would often have to ask the client for details we wouldn't hear from the AHVLA, the only way we could keep a handle on things is through the clients"

"Before Cymorth we didn't always get the culture and lesion results, before we would have to actively chase up this information"

The situation regarding the exchange of information was perceived as being improved during the Cymorth pilot. Although communications between private vets and the AHVLA vets was varied, in general private vets found their relationship and knowledge exchange with the AHVLA vet had largely improved. For example vets told us:

"we [OV and VO] have developed a very good working relationship during Cymorth"

*"yes it [Cymorth] has changed my relationship with the AHVLA and it's been good to chew the fat with *Ian*"*

*"the communication between VOs, OVs and farmers has been very good during Cymorth, mainly due to a good working relationship with *Sally*"*

However despite this improvement felt by private vets a number of specific issues emerged. In particular private vets felt that initial communication after a TB breakdown between AHVLA vets and themselves was lacking in some cases. Some felt that the AHVLA vets did not communicate enough information to them in regards the breakdown:

"there was not a lot of communication with us, in the initial email their wasn't even details of the case vet or a detailed TB history"

“in general the AHVLA vets have been very separate from us. We get instructions by email, we can access the DRF but it is not a very personal experience, it has stayed quite official. It might be better to speak over the phone in order to liase better”

There were also issues in the time lag between the initial identification of a breakdown by AHVLA vets and the subsequent communication to private vets:

“we get the info a long time after the event has occurred which isn’t always helpful”

“I think something may have gone wrong with emails or contact with the admin staff which caused a bit of a time lag. Getting the correct contact details to start with is important”

So whilst overall vets felt that communication between themselves and the AHVLA had greatly improved during the Cymorth TB pilot there were some specific issues which caused concern in relation to the way information was communicated during the Cymorth pilot. In general these may be described as administration issues; lack of detailed information in the initial email, lag time between test result and contact with OV, and wrong email addresses were just some of those issues noted by vets. The subject of communication will be further explored through the analysis of focus group data in Part Three.

3.2.5 Added value to Private vets

Interview analysis revealed that private vets felt that the training and practical knowledge provided by taking part in Cymorth TB added value to their role as a private vet. For example they felt better informed and qualified to discuss TB eradication with their clients and this led to more satisfying and valuable conversations during TB testing and at visits. Some vets even asserted that this added value through development of their professional practice has led to improved relationships between themselves and their clients. For example vets said:

“being involved [in CymorthTB] has given more value to the role of the private vet for TB”

“[Cymorth] has helped improve relationships and us for us to be seen as being proactive with this and having the expertise”

The farm walk in particular was viewed as a potentially useful exercise which increased their own knowledge of the farm and helped them gave more informed advice on farm management practices relating to other diseases:

“[the farm walk] allows us to get to know more detailed aspects of the farms and the farmers biosecurity needs more generally too”

“its nice for us to be involved, to know what’s going on on farm, then you can find out what the risks are likely to be, for TB and other biosecurity issues”

‘walking among the stock during the Cymorth visit is beneficial for us. For example during during Foot and Mouse disease where we saw how farms fitted together better because we were walking around farms which gives us a better understanding of the farm as well as an opportunity to talk to farmers about the whole concept of biosecurity”

It can therefore be demonstrated that vets taking part in the Cymorth TB pilot perceived benefits beyond training. These included the perception of enhanced value, and an improved ‘on-farm’ knowledge base through the farm walk.

3.2.6 Benefits to farmers

Private vets in general were fairly optimistic that Cymorth TB pilot would have positive benefits for their clients. They cited reasons which closely resembled those given by farmers in the preceding section, including; trust, historical working relationships with farmers, and the value of farm specific knowledge:

“[OVs] have a strong working relationship with their clients, they trust us, whereas they perhaps don’t know AHVLA and they may want to enforce restrictions”

“we’re more involved, as local vets we have a good working relationship and even crusty old farmers who I didn’t think would do anything we had a positive outcome after the [Cymorth] visit”

“its advantageous for us to be involved because they know us. Often they find it difficult to talk to foreign [AHVLA] vets but they can talk to us”

“we have a working relationship with the farm and know the situation locally”

All the private vets interviewed felt that the Cymorth TB pilot was a valuable and beneficial project for the control and eradication of TB in Wales and would like to see the pilot rolled-out for the long term with suggested improvements.

3.2.7 Summary

In general vets were happy with the training they received which they found useful and provided a good overview of TB. However a number of improvements to training were

suggested to further develop and expand the benefits of the project. These included training in TB epidemiology, badger ecology and 'diplomacy'. It was also suggested that the number of training dates should be increased to reduce workload to currently trained Cymorth vets and that a practical 'on-farm' training day would help cement classroom taught skills in the field. Overall the vets enjoyed the Cymorth visit and found the farm walk in particular useful they also identified limitations in the *maps* provided to them for this visit. The maps were often too small in scale and difficult to print. It was also felt that communication between the AHVLA vets and themselves had greatly improved during the pilot but that specific communications, generally around administration issues, could be bettered for the future. Overall vets felt that being part of the Cymorth TB pilot enhanced their knowledge and value as a private vet. All vets thought that they have a role to play in the eradication of TB through the potential roll-out of Cymorth TB in the future.

3.3 PART THREE

3.3.1 Cymorth TB – Focus Group Findings

The focus groups confirmed findings from the interviews as well as providing more insight into the way maps could be used by vets to help manage bTB breakdowns. Findings from the focus groups are presented below.

3.3.2 Mapping the Breakdown

Maps are central to the Cymorth TB visit. However, focus groups confirmed the thoughts of those vets interviewed: that the maps provided were of limited use. During the focus groups, participants were shown the maps used by AHVLA to conduct a Disease Report Form (DRF) to compare with the maps provided for the Cymorth TB visit.

The maps provided for the Cymorth TB visit were not seen to be particularly useful. Typically vets said that the maps were too small, not always centred on the farm, did not include all parts of the farm, or too faintly printed. The main criticism of the maps was that they lacked the field boundaries that the DRF maps included. For example:

“It tells you nothing – it doesn’t tell you where the farm is, where the field boundaries are or anything”

There were also technological limits to the maps. Vets suggested that sending large scale maps in the post was the best way to receive the maps. Practices were unable to print off maps on paper any larger than A4 and often not in colour.

Some vets got around these mapping problems by using farmers’ own maps once on the farm. Alternatively, some drew their own field boundaries on the maps during the visit, either by walking the farm with the farmer or discussing it with them:

“I actually gave up on the maps and sort of did it another way which was just walking the fields so you can see the fences and you say oh what who farms there, what goes there? So to be totally honest I found the maps pretty useless!”

The usefulness of maps is likely to vary between farms. Some vets said that having the field boundaries on the maps can help vets plan these walks more effectively, for example by looking for badger setts on farmers’ land:

“I had to fill in the boundary on the one visit I did with the farmers help – I had to draw around the boundary...we’d already walked the boundary so we did it afterwards so I wanted to map the badger setts. Its beneficial to have a pre look at the maps before you go off wandering round because then you can plan it – so you need to go in, then out and then back out again to fill in what you’ve found”

However, some vets remarked that the three hours allocated to complete the Cymorth TB visit that you couldn’t walk around large farms inspecting the field boundaries. Another commented that some farmers don’t want to walk the boundaries, preferring to talk over the maps sat at a kitchen table.

The main purpose of showing field boundaries on the maps was to assess the risk of neighbouring stock, but this could only be accomplished if the disease status of those farms was known. In some respects, vets argued that knowledge of the field boundaries was not essential: what was more important was the location of disease surrounding the farm being visited.

“The map would only be useful if it told you what was going on around. I mean you can get your farmers’ own maps and walk the fields, that’s not the issue, you don’t need a map to do that but you need to have information about what is going on locally – so you can say well you’ve got Joe Bloggs there and he had a breakdown last year or whatever so you need to be careful how you farm that part of your farm”.

Some vets suggested that the maps were ‘superfluous’ without the disease situation marked on them. Disease status cannot be communicated to farmers due to data protection issues. Indeed, AHVLA vets pointed out that the maps that they have for DRF visits cannot be taken out of the office and shown to farmers because they reveal neighbours TB status. Instead, the maps of field boundaries are used to help structure conversations with farmers about the location of disease and help draw out farmers’ knowledge of the disease status of their neighbours. In fact, as many vets pointed out, the data protection rules are often irrelevant: either the farmer knows what is going on on their neighbours’ farm, or the vet him/herself knows and can advise the farmer on where not to graze. The only danger associated with this negotiation of data protection is that sometimes farmers can have incorrect information, or not fully understand the nature of their neighbour’s breakdown (for example, the outbreak may have originated on stock kept away from the farm). For example:

V1: Most farmers know. I mean Im in north Wales and a TB incident is quite a big thing, but people know

V2: But they might not be right, that’s the thing

V1: That is the trouble

Overall, however, vets suggested that having access to the neighbouring holdings and their bTB status from the outset is likely to improve the quality of Cymorth TB visits.

Alternative Maps

As part of the focus groups, a range of alternative maps were presented to vets to gauge their reaction to them as tools to help communicate bTB risks to farmers. The maps included were:

- A 10km radius map showing breakdown locations around a farm;
- A map of Wales all bTB breakdowns; and
- A Spoligotype type map of Wales; and

The 10k radius map was initially seen as valuable to the vets in the focus groups because it showed the locations of breakdowns, unlike the previous maps. On further analysis, however, vets also found problems with these maps and came up with an alternative way of representing the information in these maps.

Vets initial reactions to the 10km radius map was that it was the most 'useful'. The first problem with the map, though, was data protection: like the DRF maps, AHVLA said that this map could not be shown to farmers because it could reveal which neighbours had bTB. Secondly, the map lacked any contextual detail which could mean the outbreaks could be misinterpreted. As with the previous DRF map, without an underlying OS map vets felt it was difficult to make sense of clusters of breakdowns. Moreover, the maps pinpointed holdings with bTB, but did not say whether the outbreak had occurred on 'outlying land' elsewhere or at the farmers grass keep. Thirdly, vets complained that the maps didn't provide an historical picture to disease in the area: for example, the maps did not show how bTB was spreading in the area. This information was seen as important because it could lead to recommending different kinds of biosecurity practices.

In response to these concerns, vets developed two separate solutions. The first was to do away with the map altogether and replace it with broad statistics. The broad statistics of how many breakdowns in a 10km radius of any farm were seen as a useful resource to communicate bTB risks to farmers. For example, one vet commented that this kind of information had proved useful in the past:

"when you came on the visit to client x which we had – and that shut him up a bit when you could say in 10kms radius of your farm, there are 15 or 12 Tb outbreaks. You can't say there isn't a TB problem in the area which is what he was saying...so it doesn't necessarily need to be a map we just need to have that information"

The second solution was to have more dynamic maps again with an explicit purpose of communicating the risk of bTB to farmers in a clearer way. The proposed solution was to allow vets to have an historical map of bTB outbreaks at county scale on their laptop computers that they could show to farmers. As one said:

"When you start looking at red dots you need to look, its not much use; its like a cine film, you need to roll it forward and see how it changes over time...because you can see the patterns and its even better if you can roll it forward from 5 years to now and this is how the thing is moving – this on its own is just one picture it doesn't mean a lot but as soon as

you start being able to have that on your computer for however long you've got the data it becomes really useful".

This critique of breakdown maps was also applied to the next map shown to vets – a map of Wales with all bTb breakdowns. For Cymorth visits, some vets argued that the Wales map was not personal enough. Vets felt that the Wales map was probably better used to show to a group of farmers rather than on individual basis. Being able to animate the map was seen as valuable, as well zoom in and show breakdowns in specific areas. Again, however, vets suggested that without an underlying OS map, the dots on their own were just 'dots from nowhere' and needed to be contextualised within local geography:

"That has to be on an OS map otherwise its pointless – at this level you need to be looking at the valleys and the hills the reason there may be a bit here because there's no cattle because its all hills or theres a concentration down here in a valley...that without mapping is absolutely useless"

The final map shown to farmers was a map showing the different spoligotypes of breakdowns across Wales. Of all the maps, this appeared to capture the vets attention the most. Some vets had seen similar maps but many had not, although they were aware of spoligotypes.

There were a number of reasons why vets found this map useful. Firstly, it addressed some of the concerns about previous maps being too static and without context. The spoligotype map was seen to be 'dynamic' rather than 'reactive'. The reason for it being seen as dynamic was because it could show where the disease was 'coming from' despite it still only representing a snapshot in time. The map was able to do this mainly in low incidence areas or edge areas because it could distinguish between types of breakdown. For example:

"it just gives you a better idea of where the disease is coming from if you are a new outbreak, whether you just happen to be just another one of the endemic strain or whether you are one where you have definitely moved in from somewhere else or its come in because you've bought an animal from there and it's the same colour as that one"

Secondly, this information wasn't just useful for the vet, but seen to be useful for farmers too. One vet commented that he attended a DRF visit where the spoligotype map had been shown to the farmer who proceeded to get all his staff members to look at it because he felt it was so important. The vet argued that the spoligotype maps gave farmers "some-kind of understanding of where the disease had come from on their farm. It gave them more of an insight into how the disease was progressing". One vet suggested that spoligotyping could therefore help to provide some answers to farmers which they don't often get. For example:

"We had a cow with 22a up here and 22a is normally from down here. And again, it was a cow that was purchased a couple of years ago and that was a really good message to say to the farmer you couldn't blame badgers on Anglesey you couldn't blame that cow had been there for 10 years it had been purchased as a youngster and that's such a good message to give out to farmers"

Other vets suggested that putting this map in a market could have a similar effect. The value was in the information it could convey, as well as informing farmers about the processes laying behind bTB control.

However, there were some problems with the spoligotype maps. Firstly, some of the home ranges are quite large. AHVLA vets pointed out that the 17a spoligotype stretches across Wales and into Gloucester. As a result it was not always clear whether these breakdowns were wildlife related or related to cattle movements. Secondly, not all of the vets were fully up to speed with spoligotyping. One mentioned that the farmer had mentioned the spoligotype to them but they didn't know what all the different types and their home-ranges were so could not pass on any more information.

3.3.3 Training

As well as offering support to farmers with bTB breakdowns, another aim of Cymorth TB was to improve vets own knowledge of bTB and their relationship with AHVLA in the handling of a breakdown. This section reports on these issues as discussed during the focus groups.

3.3.4 Training Vets

In general, vets appreciated the training they received at the start of Cymorth TB. In particular, they praised the scenario exercises designed to get them to discuss different kinds of breakdown. Vets from north wales felt that it was important for them to be able to discuss different situations with vets from south wales who had been involved in many breakdowns.

The main point of discussion however related to how best to organise training in future. Firstly, some vets suggested that scenario based training could be delivered on-farm to make it even more realistic. Secondly, some vets were quite happy for some of the training to be delivered through on-line modules rather than in-person. Others preferred for the training to be in person.

In terms of the content of the training, vets suggested that there would always be limits to the kinds of training that could be provided. This was because it was recognised that in order to do the Cymorth TB visits properly, the vet needed to be committed in the first place. Many of the skills required had more to do with communication and relationship management. Whilst these were skills that vets picked up in their everyday jobs, not all vets would be in the same position. Younger vets, for example, suggested that they might be at a disadvantage when it came to delivering Cymorth TB because they didn't have a relationship with the farmer they were visiting. Even experienced vets were uncomfortable visiting farms that they did not fully know because they were looked after by other vets in their practice. The importance of relationship management meant that frequently Cymorth TB visits may be played out in different ways according to the situation. For example, one vet commented that:

“you have to show some degree of empathy – for some people it is actually the end of the world – for one of my farmers we just had a chat for about an hour – I’m not sure if it fulfilled Cymorth but you know I think he felt a lot better”

The importance of ‘social care’ as opposed to ‘epidemiological care’ was mentioned by other vets. Sometimes this meant that the Cymorth TB visit was more of an opportunity to talk about a range of issues rather than simply what could be done about it. In some cases, it appeared that only by having this kind of conversation first that conversations could then be had about bTB. In other cases, a pre-existing relationship between allows vets to be more direct in their views about the farmers’ management, such as stock purchasing decisions. In terms of the quality of the Cymorth TB visits, this may mean that some do not tick all the boxes because they need to address others. The extent to which this matters was questioned by vets – as one vet commented, ‘the paperwork was a bit too ministry...but it does have to be more flexible to fit the farmer’.

In addition to the training offered, some vets were keen to see more types of training that could allow them to persuade farmers to act in specific ways. The emphasis on a trusting relationship may mean that such generic skills may not be effective. However, it was felt that it was important to understand how farmers thought about problems themselves and to encourage them to come up with solutions to their own problems. These points also relate back to the role of maps and statistics as methods of persuading farmers to act in certain ways. Vets also suggested that risk assessment tools could help communicate risks to farmers more effectively. Scoring tools and traffic light systems used to measure biosecurity for bTB and other diseases could be used to communicate risks more effectively.

3.3.5 The AHVLA – OV Relationship

The final area of additional training requested by vets was in relation to knowledge of AHVLA procedures and practices. Vets commented that farmers perceived them as an ‘in-betweeners’ between AHVLA and themselves and would frequently ask them for help to negotiate AHVLA. In general, vets seemed to be happy to do this. Some said that they were able to get hold of information fairly quickly for farmers through ‘informal’ routes by knowing how to get around the AHVLA’s switchboard. Where vets understood the legislation and it was simple, they were happy to pass it on, but vets were often reluctant to explain what they referred to as more complicated legislation.

The trouble was that even some experienced vets weren’t always able to explain certain decisions taken by AHVLA. One common complaint from vets was that they were frequently unable to answer farmers questions about why they were on severe interpretation. Some vets explained that their inability to explain this undermined their own expertise and other explanations they might have already given, such as in relation to non-visible lesions. For example:

“It makes farmers quite angry, it doesn’t get them onside and the other thing is that I spend a lot of time telling people just because there wasn’t lesions doesn’t mean it didn’t have TB. But actually if you say that but can’t answer the other questions because you can’t understand the decisions and procedure, it undermines everything you are saying”

“We are doing the test, we do what we are told but it just undermines what we are doing – the farmer doesn’t know why we are doing what we are doing. We can’t explain why we are doing what we are doing and it just creates an undercurrent of well...”

Vets in both focus groups suggested that one solution would be to have a kind of crib or decision tree that they could use to explain to farmers why certain decisions were taken. Whilst this was not impossible, AHVLA vets also explained that in some cases a simple decision tree would still not be able to explain all decisions. However, these problems also reflected problems in the way vets and AHVLA communicated with each other. On the one hand, vets suggested that the SAM computer system could be used more effectively to communicate decisions. This would involve explaining not just that tests should be read on severe, but also using free text boxes to explain why. On the other hand, there seemed to be reluctance on the part of the private vets to contact their case vet to explain why decisions have been taken or find out new information, such as in relation to spoligotypes. Where vets had contacted AHVLA, they sometimes reported that they hadn’t received clear answers which they couldn’t take back to the farmer. Alternatively, one vet reported not being able to get hold of a case vet on a Friday afternoon when he needed information for a visit on a bank holiday. Vets also reported difficulties being able to attend the DRF visit because of communication failures with AHVLA. Another vet reported how they have been unable to contact AHVLA following enquiries from farmers to clarify who was responsible for their next test.

In general, vets had limited contact with AHVLA case vet in relation to their Cymorth TB visit. Few spoke directly too them before the visit. However, this may not have been thanks to poor communication skills. Some vets suggested that the reason for the lack of communication was simply because there was no need to: the visit was simple, there were no problems and/or it was seen as an advisory visit without the need to pass information on. Others said that they did have a useful chat with the case vet after the visit and suggested that this would be the best time to speak to ensure that the visit was conducted with an open mind.

3.3.6 Summary

Maps can provide an important source of information to vets about which they can communicate to farmers effectively. However, it appears that maps can be used more effectively in Cymorth TB. The maps provided to vets were lacking in detail and context. Although some of these problems can be attributed to data protection issues, vets identified alternative metrics that could be used to communicate bTB risks to farmers. Simply having the number of breakdowns in a 10km radius would be a useful starting

point. Data protection issues need to be resolved because the location of other breakdowns is discussed as part of the visit. Relying on vets and farmers' own local knowledge is one way of negotiating the data protection rules, but may not always be correct or accurately reflect the the source of neighbouring bTB outbreaks. The use of other maps may also improve Cymorth TB visits. Maps that can show the spread of bTB across Wales and the causes of breakdowns can potentially help to improve farmers knowledge of bTB and guide their management practices. At the same time, these maps can also help improve vets understandings of bTB.

Vets were generally happy with the training they received. The scenario exercises were seen as excellent. Vets were keen to learn from the experiences of other vets. This has implications for future training. Whilst some vets were happy to conduct training online, there appear to be considerable advantages to having meetings that combine vets from different parts of Wales. Vets suggested that they also need more training in AHVLA decision making. Not being able to explain decisions to farmers was seen as undermining. However, vets also did not regularly speak to AHVLA vets during Cymorth TB visits either. Ways of improving communication between AHVLA and private vets are still required.

4. Conclusions

The key conclusions and recommendations from this evaluation of Cymorth TB are as follows:

4.1 Farmers

In general, farmers felt the Cymorth TB pilot provided them with added support which was beneficial to them.

In particular, farmers believed that the involvement of their private vet in the management of TB gave them:

- (a) an understandable and accessible source of communication/advice;
- (b) a tailored and trusted service which took into account issues of business and empathy;
- (c) bespoke advice based on knowledge of the farm, animals and the farmer; and

Farmers also made clear distinctions between the role of private vets as experts in herd health and AHVLA vets as experts in legislation and licensing.

4.2 Vets

Overall vets felt that being part of the Cymorth TB pilot enhanced their knowledge and value as a private vet. All vets thought that they have a role to play in the eradication of TB through the potential roll-out of Cymorth TB in the future.

Vets were happy with the training they received which they found useful and provided a good overview of TB. The scenario exercises were seen as excellent and it was felt important that vets learnt from other vets in different parts of the country.

Vets suggested that training in future should be held on more days to provide a better fit with other work. Additional training should take the form of a practical 'on-farm' training day to cement classroom taught skills in the field. Requests for additional training included training in TB epidemiology, badger ecology and 'diplomacy'.

There was evidence of improved communication between AHVLA and private vets ,but many vets appeared reluctant to contact AHVLA vets during the Cymorth TB process. Decisions taken

by AHVLA still appeared confusing to vets and ways of improving communication between AHVLA and private vets are still required.

4.3 The Use of Maps

Maps were a key tool used during the Cymorth TB process. Vets expressed support for their use as ways of communicating risks to farmers, organising the visit and identifying biosecurity hazards.

The use of maps was limited by data protection rules meaning that the maps private vets received were vague and lacking in important details.

Vets identified alternative metrics that could be used to communicate bTB risks to farmers such as the number of breakdowns in a 10km radius.

Vets felt that it would be useful to have access to other maps published in the AHVLA surveillance reports (such as the spoligotype maps). Maps which showed threats and the movement of disease were seen as most useful as ways of communicating risks to farmers.

4.4 Key Recommendations

Cymorth TB demonstrates the value of involving private vets in the management of bTB to farmers, AHVLA and private vets. To improve the process in future, the following recommendations are suggested:

1. The DRF – a clear distinction between the DRF and Cymorth TB visit needs to be made to ensure farmers understand the value provided by WG funding of Cymorth TB.
2. Maps – private vets need better access to accurate maps to help them conduct Cymorth TB visits.
3. TB data – vets should be provided with information about the TB situation on surrounding farms (for example the number of breakdowns within 10km).
4. Risk Communication – the Welsh Government should examine the use and effectiveness of using a range of different maps and metrics in Cymorth TB to communicate risks to farmers.
5. AHVLA relationships – private vets need access to simple notes to explain to farmers decisions taken by AHVLA

6. AHVLA relationships – communication between vets and AHVLA during Cymorth TB should be enhanced by having a number of fixed reporting points between the case vet and private vet.
7. Vet Training – scenario based training should continue and involve vets with different experiences of managing TB.
8. Vet Training – consideration should be given to other forms of training and methods of communicating risks to farmers

5. References

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